



Appeal Decision

Site visit made on 5 December 2024

by Neil Pope BA (HONS) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 December 2024

Appeal Ref: APP/W1145/W/24/3343916

Roadford Lake Lodges, Broadwoodwider, Lifton, Devon, PL16 0RL.

- 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 Harvey of Lake Lodge Park Limited against the decision of Torridge District Council (the LPA).
 - The application reference is 1/0729/2023/FULM.
 - The development proposed is the use of land for the siting of an additional 11 holiday lodges (static caravans) and associated infrastructure, including parking and bases.
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Decision

1. The appeal is allowed in part but is otherwise dismissed. Planning permission is granted for one holiday lodge (static caravan), namely that shown as plot/pitch no. 45 on plan reference P109, and its associated infrastructure, including parking and base at Roadford Lake Lodges, Broadwoodwider, Lifton, Devon, PL16 0RL. The permission is granted in accordance with the conditions set out within the attached Schedule

Preliminary Matter

2. The holiday lodge/caravan shown on the submitted plans for plot/pitch no. 45¹ is already stationed on the site. As I saw during my visit, this lodge/caravan is orientated slightly differently to that shown on the submitted plans². As it appears to be 'complete'/furnished, I cannot think that the appellant would want me to determine the appeal on the basis of the orientation shown on the submitted plans. I shall therefore determine the appeal on the basis of the current orientation of this particular holiday lodge/caravan³.

Main Issues

3. The two main issues are: firstly, the effect upon the character and appearance of the area and; secondly, the likely effect upon nature conservation interests, including whether the proposal should provide biodiversity net gain.

Reasons

Planning Policy

4. The development plan includes the North Devon and Torridge Local Plan 2011-2031 (LP). My attention has been drawn to numerous policies. The most important policies to the determination of this appeal are ST13 (Sustainable

¹ One of the eleven lodges that are the subject of this appeal.

² Some other lodges/caravans that are not the subject of this appeal namely, those on plots 2, 12, 13 and 14 also appeared to be orientated differently on their plots to that shown on the submitted plans.

³ Any discrepancies/differences with other existing lodges that are not the subject of this appeal would be a separate matter for the LPA and appellant.

Tourism), DM18.2 (Tourism Accommodation), DM04 (Design Principles), DM08A (Landscape Character), ST14 (Enhancing Environmental Assets) and DM08.1 (Biodiversity). I have also had regard to the provisions of The National Planning Policy Framework ('the Framework'), including the need to support a prosperous rural economy, achieving well-designed places and conserving and enhancing the natural environment.

5. Whilst not planning policy, my attention has also been drawn to the previous Government's 2021 Tourism Recovery Plan.

The First Main Issue

6. This 2.76 ha appeal site comprises a holiday park for 34 caravans⁴ at the southern end of Roadford Lake reservoir. The site slopes down from south to north, with fields to the south⁵ and woodland/tree planting to the north, east and west. Roadford Lake Activity Centre lies to the west.
7. The appeal site does not form part of a designated landscape. It lies within the landscape character type (LCT) 3H 'Secluded Valleys', as set out within the North Devon & Torridge Landscape Character Assessment 2023. The site also borders the 5A 'Inland Elevated Undulating Land' LCT.
8. The key characteristics of LCT 3H include lakes/reservoirs, mixture of field sizes and shapes, steep valley sides, dense tree cover cloaking valley sides and high levels of peace and tranquillity. The valued landscape attributes include unspoilt, secluded and secretive character providing a tranquil landscape, rich mosaic of water, meadows, grassland, hedges, small fields and woodland, all providing wildlife havens.
9. The key characteristics of LCT 5A include elevated land cut by a series of tributaries, medium scale regular fields, strong farmed character with pasture fields, strong rural character diluted by prominent pylon lines, industrial development and busy roads, overall high levels of tranquillity and dark night skies. The valued landscape attributes include long views from elevated ridgelines, patchwork of fields and hedges, traditional working agricultural landscape with a strong rural character, quiet, relaxed and tranquil.
10. As I noted during my visit, notwithstanding the neighbouring car park, café and renewable energy schemes, the appeal site sits within an attractive rural area. In distant and middle distant views, the woodland planting to the north and south west of the site screen the lodges/caravans⁶ from public view. I agree with the assessment within the appellant's Landscape and Visual Amenity Statement (LVAS) that overall, the appeal site and its immediate context could be considered to be of medium overall landscape value.
11. There are close filtered views of the holiday park from sections of the popular⁷ lakeside path to the north, as well from the woodland path which runs from the café/children's play area and very close to part of the northern boundary of the site. From these paths, the layout, generous spacing of many of the

⁴ Outline permission was granted for the construction of a holiday park comprising up to 34 caravans, reception building, car parking, landscaping and other associated infrastructure in 2018 (ref. 1/1260/2017/OUTM). Reserved matters were approved in June 2020 (ref. 1/0114/2020/REM).

⁵ There is a solar farm and wind turbine in some of these fields on the opposite side of the public road.

⁶ These are finished in dark/visually recessive coloured materials to limit their visual impact.

⁷ The path is well laid out and during my (winter) visit, I encountered a number of visitors, including some dog walkers, along the southern end of the lake/reservoir.

lodges/caravans and landscape planting ensures that the holiday park is not too conspicuous and does not intrude unduly into the pleasant and largely tranquil woodland/rural scene. Although a more open view of the site exists from the public road to the south, from here, the renewable energy schemes are more apparent, as well as the fast-moving traffic along the public road.

12. I note from the landscape and visual impact appraisal that undertaken in 2017 in support of the outline application, that the aim was to produce a layout that did not appear too regimented or densely populated. The area that accommodates the existing lodges on the slope at the northern end of the site was selected as it was deemed the least visually prominent part of the site. Mitigation, including tree planting of native species was proposed to provide additional screening and to break up the appearance of the lodges.
13. This was followed through in the subsequent reserved matters application where the proposed layout and landscaping (including planted bunds and wildflower areas) within the site were intended to ensure an appropriate setting for the development, including separation between the lodges/caravans and the retention of the majority of field hedgerows within the site. I consider that this has largely been achieved and also noted during my visit that the spacing of the lodges/caravans and landscape works provides a pleasant environment for those staying on the holiday park.
14. The proposed siting of 11 holiday lodges/caravans would be scattered across the appeal site. These new units would be a similar size and colour to the existing caravans and some new landscape planting would be undertaken. Outdoor lighting would be limited to fixtures that shield the light source so as to minimise glare, light trespass and prevent light pollution. I note the findings within the LVA that the magnitude of development would be low and with a small number of localised receptor viewpoints and the proposal would present a slight increase in landscape and visual effects compared to the current situation. However, these effects would be adverse.
15. From the lakeside and woodland paths to the north of the site, the proposed increase in the number of lodges/caravans, especially the new units that would be located on the northern side of the internal spine road, would accentuate the landscape and visual impact of the holiday park. The increase in density within the site, reduction in open space (including the removal of some young trees and wildflower areas) and the increase in activity, would further erode the valued unspoilt, secluded, secretive and tranquil character of the local landscape. This would be likely to detract from visitor enjoyment of the area.
16. The appellant has informed me that the site licence would allow up to 60 caravans to be stationed on the site. Be that as it may, the approved site layout plan⁸ shows 34 holiday lodges/caravans. Moreover, for those staying in the existing holiday lodges/caravans, the reduction in open space within the holiday park and the proposed replacement planting would be a poor substitute for the existing carefully planned arrangements. The proposal would erode the pleasing/intended setting of the holiday park and detract from the quality of the layout/environment.

⁸ This is a condition of the approval. In approving the layout for 34 lodges/caravans, the LPA, no doubt, would have weighed the landscape and visual harm with the tourism/economic benefits and made a balanced decision.

17. Given my findings above, the proposal would conflict with the provisions of LP policies ST13, ST14(g), DM18.2(f), DM04.1(a),(b),(f) and DM08A.1. This weighs heavily against granting planning permission.
18. The holiday lodge/caravan that has already been stationed on plot no. 45 can be seen from the public realm. In particular, it is visible from the public road to the south of the appeal site⁹. However, from here, it is not perceived as 'bringing the holiday park closer' to any footpath or vantage point from where the public are likely to derive any meaningful enjoyment/amenity. Moreover, those using this highway are likely to be focused on the road itself and more aware of the immediately neighbouring renewable energy schemes. The landscape and visual impact of this particular unit (including the likely increase in activity within the site) does not erode the quality of the local environment.
19. I conclude on the first main issue that, with the exception of the holiday lodge/caravan that is stationed on plot no.45, the proposed development would detract from the character and appearance of the area.

The Second Main Issue

20. The LP is consistent with the provisions of the Environment Act 2021, in seeking to protect and enhance the quality of the natural environment of northern Devon. In this regard, LP policy ST14(a) requires development to contribute to providing a net gain in biodiversity where possible. LP policy DM08 also requires development to conserve, protect and, where possible, enhance biodiversity interests. In addition, the Natural Environment and Rural Communities Act 2006 (as amended) includes a duty for public bodies to have regard to the purpose of conserving biodiversity.
21. I note the LPA's argument that the proposal does not provide biodiversity net gain and may undermine existing areas of landscaping mitigation secured as part of the original planning permission for this holiday park. I find it odd that the appellant is now seeking to develop some parts of the holiday park which were only recently identified (and planted) for necessary landscaping and biodiversity purposes¹⁰. Whilst the LP only requires a net gain where possible, as acknowledged by the appellant, since February 2024, it is mandatory for development proposals to demonstrate a 10% Biodiversity Net Gain.
22. The appellant's ecological appraisal found, unsurprisingly, that some of the areas set aside for biodiversity interests had yet to establish and exhibit a diverse botanical community. This appraisal also found that the vast majority of habitats on the appeal site would be retained, with localised areas of wildflower and amenity grassland removed to facilitate the proposed development. The proposals include new wildflower grassland planting, native hedgerows and some scattered tree planting throughout the site. Bat roosting boxes and dormice nest boxes are also proposed. The appeal was accompanied by a biodiversity metric, which indicates that the proposals would result in a 10.49% net gain of habitats and a 13.11% gain in hedgerow units.
23. In the short term, the proposals would be likely to have a minor adverse effect upon biodiversity interests as some recently planted areas were removed to make way for the development. This would be unfortunate and new /

⁹ This plot is also located the furthest distance away from the lakeside and woodland paths to the north.

¹⁰ It is reasonable to assume that these areas were originally identified as being the most appropriate and suitable locations for landscape planting and in supporting biodiversity interests.

replacement wildflower grassland, new/translocated trees and new areas of hedgerow would take time to establish. Nevertheless, overall, the proposed development would, in time, be capable of delivering a biodiversity net gain.

24. I conclude on the second main issue that the proposal would be likely to result in a very modest enhancement to nature conservation interests and would accord with the provisions of LP policies ST14(a) and DM08.1

Other Matters

25. I note the appellant's argument that the proposed development would help boost tourism spend within the wider local economy and derives support from the 2021 Tourism Recovery Plan. I also note the assertion that four additional full-time equivalent jobs would be created both during the construction and operational phases of the development and existing jobs would be safeguarded. In addition, the appellant has informed me that the proposal would allow investment in other environmental upgrades and improvements within the wider site.
26. I do not doubt that the proposal would help to support the construction industry and there is likely to be some additional employment generated through sales/marketing and on-site maintenance. In my opinion, these economic benefits are likely to be very modest. An increase in the number of lodges/caravans also has the potential to increase tourism spend in the local economy. However, I note the counter arguments made by some interested parties that the proposed increase in density within the site could exacerbate underoccupancy within the existing holiday park. I attach limited weight to the claimed tourism/economic benefits of the proposal.

Conditions (Plot/Pitch No. 45)

27. For the avoidance of doubt, a planning condition requiring the submission of a plan for approval by the LPA and showing the correct orientation of the lodge/caravan on plot 45 would be necessary. A separate condition restricting the use of the lodge/caravan for holiday purposes only would be necessary given the location of the site within the countryside and away from main services and facilities upon which permanent residents would be reliant. A condition requiring a record of occupants to be kept and the duration of their stay would also be necessary to allow the LPA to effectively monitor the use of the holiday lodge/caravan.

Conclusion

28. My findings in respect of the second main issue and the other matters above do not overcome or outweigh the harm that I have identified to the character and appearance of the area, insofar as this relates to the proposed units Nos. 35-44. These elements of the appeal should not therefore succeed. Unit No.45 would not result in any planning harm. It is easily severable (both physically and functionally) from the remainder of the proposed development and an approval would not prejudice any party. This element of the appeal should therefore succeed. Overall, I conclude that a split decision should be issued.

Neil Pope
Inspector

SCHEDULE OF PLANNING CONDITIONS

1. Within one month of the date of this permission, a site plan shall be submitted to the Local Planning Authority for approval which shows the orientation of the holiday lodge (static caravan) on plot/pitch no. 45. This holiday lodge (static caravan) shall thereafter be retained in accordance with the approved plan.
2. The holiday lodge (static caravan) hereby approved shall only be used as holiday accommodation and for no other purpose, including any other purpose within Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification. For the purpose of this condition, holiday accommodation means accommodation which is not a main place of residence and shall be used by no one person for more than 90 days in total in any calendar year.
3. Upon occupation of the holiday lodge/caravan hereby approved, the owner/site operator shall keep a record of all persons who have occupied the unit for holiday purposes, including details of the duration of their stay. Such records shall be kept and made available for inspection by the Local Planning Authority upon prior written request.