



Appeal Decision

Site visit made on 3 January 2025

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 January 2025

Appeal Ref: APP/P1615/W/24/3348029

Forest and Wye Valley Caravan and Campsite, Bearse Common, St Briavels, Lydney GL15 6QU

- 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 Jason Smith of Tremlo Limited against the decision of Forest of Dean District Council.
 - The application Ref is P0308/23/FUL.
 - The development proposed is described as 'Planning Application for the proposed siting of 41 holiday (caravan) lodges in lieu of 60 touring caravan and glamping pitches, the demolition of all existing facilities buildings and environmental improvements throughout'.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Jason Smith of Tremlo Limited against Forest of Dean District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. Since the appeal was made, a revised National Planning Policy Framework (the Framework) has been published. Although I have made my determination against the updated national policy context, the relevant changes to the Framework are not fundamental to matters which are determinative to the outcome of this appeal.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area, which lies within the Wye Valley National Landscape, also referred to as an Area of Outstanding Natural Beauty (AONB).

Reasons

5. Section 85 of the Countryside and Rights of Way Act 2000 as amended (the Act) requires that I seek to further the purpose of conserving and enhancing the natural beauty of the AONB. The site lies in the countryside, close to a small group of dwellings. It consists of an existing caravan and camping site, including a WC block, reception/café and manager's lodge.
6. The site is on the edge of two Landscape Character Types (LCT), as identified in the Forest of Dean District Landscape Character Assessment, 2002. The surroundings of the site have some features of the Limestone Plateau LCT, including a gently undulating plateau, tree belts, copses and small enclosures. They also have features of the Wooded Valleys LCT, which include steep sided river valleys and woodlands including those

adjacent to the site. The site itself has areas of hard surfacing and a few buildings, and large, grassed areas with little or no built form, giving it a somewhat rural appearance.

7. A Public Right of Way (PROW) dissects the site. Much of the caravan and camping area currently in operation is screened from the PROW by a thick hedge. Planning permission¹ has been granted for glamping accommodation of pods, yurts and tipis on the southern half of the site. This would give a total of 60 pitches on the site as a whole. I see no reason to doubt that further implementation of the planning permission represents a realistic fallback if the appeal were to be dismissed. However, I have only limited details of the fallback scheme.
8. The proposal seeks to demolish the existing buildings and to erect 41 single storey holiday lodges on the site, including the area subject to the fallback permission. The submitted plans include landscaping and lighting arrangements. Reference has been made to decking areas, but plans of these are not before me and so they have not formed part of my consideration.
9. The proposal would result in fewer units than the current and permitted number combined. The lodges would be contained within an area that has thick vegetation on its boundaries and is already influenced by recreational uses. It would include the removal of existing permanent features such as the manager's cabin. The proposal has been made on the basis that the lodges would fall within the legal definition of a caravan².
10. Even so, the design, size and solid materials of the lodges would be clearly distinguishable from touring caravans or tents. Furthermore, as evidenced by the Occupation Note, the current use of the site fluctuates, being much reduced in colder, wetter months. In contrast, the lodges would be in position throughout the year. As such, they would have a much more permanent physical presence than the established use.
11. The site already has some noise and disturbance from existing recreational activities, such as comings-and-goings, and from the nearby B4228. However, each lodge would have a higher standard and amount of accommodation than many caravans or tents. This means that they are more likely to be occupied for longer periods throughout each year, even if the number of people at any one time would be fewer.
12. The proposal includes additional lighting within the site, both from way-finding bollards and occupation of the lodges themselves. Measures can be taken to minimise their effects, such as motion sensors. Nevertheless, the greater year-round occupation and lighting, together with the more built-up presence of the lodges themselves, would have an urbanising effect on the site and its surroundings, conflicting with the rural character of the landscape.
13. The appellant's Landscape and Visual Appraisal (LVA), and its addendum, finds that views of the site interior are largely indiscernible and screened by woodland and the wider countryside. The proposal would not for example break the skyline. That said, the LVA finds that it would cause major/moderate adverse visual effects during construction when seen from the PROW through the site (LVA Viewpoint 3) and from outside the site at LVA Viewpoint 7. It also identifies moderate/minor adverse effects from LVA Viewpoint 8 during construction.
14. The identified adverse visual effects would diminish once construction work is completed, and as the proposed landscaping matures. The regressive materials and shades of the lodges would to some extent reflect their woodland surroundings, particularly compared to the lighter, more functional appearance of touring caravans and tents. However, the LVA finds that, even by Year Ten post-construction, the proposal would still have

¹ LPA reference P0664/20/FUL

² Caravan Sites and Control of Development Act 1960 and the Caravan Sites 1968 Act

moderate/minor adverse effects when seen from Viewpoint 3. I see little reason to disagree with the findings of the LVA. I therefore conclude that the proposal would have harmful visual effects.

15. My attention has been drawn to an allowed appeal for additional holiday lodges in Chipping Norton³, also within a National Landscape. However, this decision appears to pre-date the current version of the Act, and so applied a less onerous test of 'having regard to' rather than 'furthering the purpose' of conserving and enhancing natural beauty. It was for significantly fewer lodges than the 41 proposed here, and I do not have full details of the site or proposal, or the Landscape and Visual Appraisal in that case. It does not therefore change my conclusions in respect of the proposal before me.
16. For the reasons given above, the proposal would have a harmful effect on the character and appearance of the area, including the Wye Valley National Landscape. It would therefore conflict with Policy CSP.1 of the Council's Core Strategy (CS), adopted February 2012, and policies WV-D2 and WV-D3 of the Wye Valley AONB Management Plan (WVMP), January 2021. These policies require consideration of the effect on the protected landscape, and its conservation and enhancement. Even if the proposal does not constitute major development as defined by Framework Paragraph 190, for the reasons given it would fail to conserve or enhance the scenic beauty of the National Landscape. I give this great negative weight, in accordance with Framework Paragraph 189. It would similarly conflict with the statutory test under the Act.

Other Considerations

17. The proposal would have financial benefits, as identified in the Business Plan and Economic Case. These include additional employment and wider visitor spending, over a longer period throughout each year. I am mindful of the significant weight that Framework Paragraph 85 places on the need to support economic growth. CS Policy CSP.7 seeks to promote, support and prioritise the growth of the tourist economy generally, whilst the WVMP aims to meet the demand for recreation within its area.
18. However, these benefits must be balanced against those of the existing facility, and the reduction in the number of pitches that would result. Framework Paragraph 88 specifically seeks to encourage sustainable rural tourism and leisure development, but only where this respects the character of the countryside, which I have found would not be the case here. Accordingly, I give the economic benefits of the proposal moderate positive weight. It would also have small ecological benefits, to which I give additional very limited positive weight. Consequently, its overall advantages would not outweigh the harm I identify above.
19. Based on the previous iteration of the Framework, there was no dispute that the Council could not demonstrate an adequate supply of housing land. Even if the proposal constitutes housing, having regard to footnote 7, the policies in the Framework that protect the National Landscape provide sufficient reason for refusing permission. As such, regardless of the current housing land supply position, Framework Paragraph 11(d) and its tilted balance is not engaged.
20. The proposal has the potential to affect the Wye Valley and Forest of Dean Special Area of Conservation (SAC), protected pursuant to the Conservation of Habitats Regulations 2017. Had I found no harm in respect of the main issue, as competent authority I would have carried out an Appropriate Assessment in respect of the potential effects on the SAC. However, as permission is being refused for other reasons, this matter need not be considered any further in this case.

³ PINS reference APP/D3125/W/23/3323584

Planning Balance and Conclusion

21. For the reasons given above, the balance of considerations is against the proposal. As such, it would not be supported by Policy AP1 of the Council's Allocations Plan, adopted June 2018, and so would conflict with the Development Plan as a whole. The material considerations in this case, including the Framework, do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR