
Appeal Decision

Site visit made on 5 August 2025

by **C Rose BA (Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 August 2025

Appeal Ref: APP/D0840/W/24/3355080

Stack View, Lower Condurrow, Condurrow, Cornwall TR14 9AP

- 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 Paul Tresidder against the decision of Cornwall Council.
 - The application Ref is PA24/02596.
 - The development proposed is use of site as caravan park and construction of ablutions block.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues for the appeal are:
 - the effect of the proposed development on the character and appearance of the area and Camborne and Redruth Mining District World Heritage Site (WHS); and,
 - whether the site provides a suitable location for the proposed development, with particular regard to accessibility.

Reasons

Character and appearance

3. Open countryside is defined in the Cornwall Local Plan Strategic Policies 2010 – 2030 (CLP) as the area outside of the physical boundaries of existing settlements. The appeal site therefore falls within the open countryside. There are buildings nearby including a bungalow to the east, agricultural building to the north and farm buildings to the west. There is also a camping site adjoining the appeal site to the south. Visual remains of mining activity are highly evident in the locality and the site is within the WHS.
4. The site is fenced and set behind a bank/planting with access through gates onto Condurrow Road adjacent to the entrance to the adjoining camping site.
5. There is a hard surfaced access/parking area leading to a number of buildings. However, I note that the appeal site and various buildings are subject to an enforcement notice¹ (the previous appeal decision) relating to the construction of a dwelling and the change of use of land for the stationing of a caravan for residential purposes, siting of two shipping containers for the storage of building materials and

¹ APP/D0840/C/22/3293708

plant and the laying of hardcore as a parking area. The notice is in force and yet to be fully complied with. It is noteworthy from the previous appeal decision that a Planning Contravention Notice stated that the sites prior use was as a smallholding and that agricultural uses are excluded from the definition of previously developed land.

6. Although there is development close to and surrounding the appeal site and it is bounded by fencing, roads and hedges, the general openness of the appeal site and immediate area is as described in the Landscape Character Study. This identifies the area as being within the landscape character area of CA10 Carnmenellis. This area is described as being an open elevated undulating granite plateau within which are scattered mining remains with a dispersed settlement pattern and a strong visual association with past mining activity. As a result, the appeal site has more resemblance with the open countryside in which it is located rather than any nearby built form.
7. The site is within Area 5 of the WHS. World Heritage Sites are recognised in paragraph 202 of the National Planning Policy Framework (the Framework) as heritage assets of the highest significance which are internationally recognised to be of Outstanding Universal Value (OUV).
8. The hard surfacing of the site/gravelled area forming part of the appeal proposal would be significant. In addition, the site would benefit from development of a sizable ablution block. Use of sensitive materials would not reduce or adequately mitigate the extent of hard surfacing/gravel or size and permanence of the ablution block. The ablutions block would be set away from the road of a scale significantly larger than any other authorised building on the site despite being partly on an existing hard surface.
9. The development of a camping site and ablutions block would therefore extend built form into the open countryside in a manner which is harmful to the inherent rural character and appearance of the area. The development would represent an intrusive feature that would erode the generally undeveloped character of the area and diminish the positive contribution that it makes to the setting of the historic industrial features. This would be the case despite the proposed new tree and hedge planting as this would be of a more formal/planned arrangement not following any existing boundaries in positions and extent alien to the wider area.
10. I have had regard to the Go Explore Camping Club Certificate (the Certificate) for the site, that permits the use of the site for 365 days of the year for 9 pitches for tents, yurts or canvas covered structures comprising no more than 5 touring caravans, motorhomes, glamping pods or other moveable structures. I have also had regard to the fact that the site may benefit from permitted development rights for up to 50 pitches and associated moveable structures, subject to prior approval. However, the Certificate and permitted development rights do not allow the construction of an ablutions block or hard surfacing/gravelling of the site. Furthermore, permitted development rights restrict the 50 pitches to a specified number of days a year. As such, the visual impact from camping and caravan activities associated with the Certificate and permitted development rights would not be directly comparable to the appeal proposal.

11. I acknowledge the location of the Pioneer Billy's camping and glamping site close to the appeal site, but this does not reduce the harm from the proposal and the Council have questioned its lawfulness.
12. I find that the evidence before me, particularly from the Cornish Mining World Heritage Site Office and previous appeal decision on the site, demonstrates that the appeal site formed part of a miner's smallholding. The Cornwall and West Devon Mining Landscape World Heritage Site Management Plan 2020-2025 (WHSMP) describes the WHS as a series of ten areas comprising the distinctive patterns of buildings, monuments and sites which together form the coherent series of distinctive cultural landscapes created by the industrialisation of hard-rock mining processes in the period 1700 to 1914.
13. The Statement of OUV outlines that the remains of mines, engine houses, smallholdings, ports, harbours, canals, railways, tramroads, and industries allied to mining, along with new towns and villages reflect an extended period of industrial expansion and prolific innovation. Mineworker's smallholdings are an Attribute of the WHS's OUV.
14. I acknowledge the changed boundaries and hedgerows and the legibility of the smallholding having been diminished over time and being unrelated to a listed building with the lease period unknown. However, by reason of the extent of hard surfacing/gravel and scale of the ablutions block, the introduction of the proposed development into a generally open area forming part of the countryside characterised by visual remains of mining activity and previous smallholding, the proposal would cause some, albeit limited, harm to the legibility of the attribute which is one of the key features of the WHS inscription.
15. Although of less than substantial harm in the context of paragraph 215 of the Framework, less than substantial harm does not mean that less than substantial weight should be afforded to this harm. Rather, as the Framework sets out, great weight should be given to the conservation of designated heritage assets. The benefits from the proposal include the economic and social benefits resulting from construction, the support visitors would provide to local services, facilities, tourist attractions and the purchase of local supplies as part of the management of the site. However, given the scale of the development and similar benefits already afforded from the use of the site under the Certificate, these economic and social benefits would be limited. Due to the harm identified above to the proposed landscape, I do not find the introduction of planting to be a public benefit.
16. Paragraph 213 of the Framework advises that any harm to a designated heritage asset requires clear and convincing justification. The public benefits of the appeal scheme are limited and, consequently, would not outweigh the harm that I have identified to the WHS.
17. It follows from the above that I conclude that the proposed development would unacceptably harm the character and appearance of the area and Camborne and Redruth Mining District World Heritage Site. The proposal would, therefore, be contrary to policies 1, 2, 23 and 24 of the CLP and Policies C2 and C9 of the WHSMP. Amongst other things, these policies seek to secure development that improves environmental conditions, add to the quality and distinctiveness of the site by being of high-quality design and respectful of setting, maintain the historic character and distinctiveness of the mining landscape and special character of

Cornwall, ensuring its local distinctiveness and character is protected, with harm to the authenticity and integrity of the OUV of the WHS being wholly exceptional.

Location

18. CLP Policy 5 is supportive of new employment uses and appropriate tourism development and provides that proposals within the countryside must be of a scale appropriate to its location and to their accessibility by a range of transport modes. It further states that proposals should provide a well balanced mix of economic, social and environmental benefits. This Policy broadly conforms with the advice in paragraph 88 of the Framework, which states that planning policies and decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. There is, therefore, no objection in principle to a countryside location for new tourist accommodation providing the criteria of CLP Policy 5 are met.
19. While I have had regard to Criterion 1 of CLP Policy 5 supporting employment uses, Criterion 3 specifically relates to tourism and as such is more directly relevant to the proposal. Criterion 3 to Policy 5 must be read in conjunction with Policies C1 and T1 of the Climate Emergency Development Plan Document (February 2023) (DPD). These require, amongst other matters, that new development: must represent sustainable development; maximise the ability to make trips by public transport; be designed and located to minimise the need to travel by private car; to support walking, cycling and public transport; and support diversification to agricultural holdings that provide public benefits and help maintain a viable and active countryside within farms and landholdings.
20. The appeal site is outside of the nearest large settlement of Camborne that provides access to a wide range of services or facilities with connections to other settlements within the wider surrounding area. I accept that the appeal site is located more than a kilometre from the nearest bus stops with significant parts of the routes comprising narrow unlit lanes without footways restricting their attractiveness, particularly at night or in poor weather.
21. However, I am mindful that countryside locations just outside of settlements for camping sites are not uncommon, with some tourists drawn to quieter locations, with the Framework acknowledging at Paragraph 110 that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. Furthermore, the traffic generated by the proposal would not be significant, visitors with caravans or in motorhomes would by necessity be arriving by motor vehicle, and it is relevant to note that the site already benefits from a Go Explore Certificate for use by 5 caravans/motorhomes and is well located close to local mining trails that would be attractive and reduce reliance on the motor vehicle during some of the year. As a result, the appeal proposal would not exacerbate the level of reliance on the private car and would be of an appropriate scale for its location.
22. For the above reasons, in relation to this main issue, I conclude that the proposal would not conflict with CLP Policies 1, 2, 3 or 5 which, amongst other things, require that proposals are suitably located with regards to its accessibility by a range of transport modes, and seek to minimise resource consumption. I also find that the proposal complies with policies C1 and T1 of the DPD which, amongst other provisions, seek to maximise the ability to make trips by public transport by supporting a modal hierarchy whilst also minimising the need to travel.

23. The Notice of Decision references CLP Policy 7, but as this relates to new homes in the countryside, and as the proposal relates to a caravan park where its use can be controlled by condition to prevent open market housing, I do not find it determinative in relation to this appeal.

Conclusion

24. Although I have found no harm from the location of the proposed development, with particular regard to accessibility, I have found harm to the character and appearance of the area and WHS. In my view, this is the prevailing consideration, and the development should be regarded as being in conflict with the development plan, when read as a whole.
25. There are no material considerations, including the Framework, that indicate that the development should be determined other than in accordance with the development plan. Having considered all other matters raised, I therefore conclude the appeal should be dismissed.

C Rose

INSPECTOR