



Appeal Decision

Site visit made on 26 August 2025

by **David Reed BSc DipTP DMS MRTPI**

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 10 November 2025

Appeal Ref: APP/Q9495/W/25/3364214

Cornhow, Brackenthwaite, Lorton, Cumbria CA13 9UX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Ms Julie Hope against the decision of the Lake District National Park Authority.
 - The application Ref 7/2023/2224, dated 3 October 2023, was refused on 22 October 2024.
 - The application sought planning permission for the change of use to provide land for the siting of camping cabins for holiday/tourism purposes without complying with conditions attached to planning permission Ref 7/2021/2236, dated 21 February 2022.
 - The conditions in dispute are Nos 2 and 5 which state that:
 - 2. The development hereby permitted shall not be carried out other than in complete conformity with the following plans and details received by the Local Planning Authority:
 - Drawing No. 21.22.01 Proposed Parking & Section
 - Drawing No. 21.22.loc Rev A Location Plan
 - Drawing No. 21.22.site Rev A Proposed Site Plan
 - Heritage, Design and Access Statement
 - BS5837 Arboricultural Report by The Care of Trees, Arboricultural Consultancy dated 28 September 2021
 - 5. None of the cabins hereby permitted shall be replaced by any other structures or cabins differing from the approved details, unless and until details of the size, design and colour of such replacements have first been approved in writing by the Local Planning Authority.
 - The reasons given for the conditions are:
 - 2. For the avoidance of doubt.
 - 5. For the avoidance of doubt and to safeguard the visual amenities of the area in accordance with Policy 05 and 18 of the Lake District National Park Local Plan 2020-2035.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. On the site visit it was immediately apparent that the development permitted under reference 7/2021/2236 had not been carried out in accordance with the approved plan 21.22.site Rev A dated July 2021. The cabins now known as Hansel, Gretle and Larch Cabin are not in the locations shown on the approved plan and are of two styles of wooden construction not the 'Typical Slate Clad Cabin' design shown on the approved plan. The plan submitted with the application the subject of this appeal, 21.22.site Rev B, confusingly still dated July 2021, in addition to showing these wrong locations and designs, only shows the location and design of two of the three additional cabins now proposed. In the circumstances a further plan was requested showing the accurate location of the existing and all three proposed cabins and their designs. This plan, 21.22.site Rev C, still dated July 2021, was

submitted during the course of the appeal and appears to show accurate locations for each cabin albeit this has not been confirmed by the National Park Authority (NPA). The plan includes a photograph of each cabin except the Camping Pod. At final comments stage a further plan was submitted, 21.22.SP, showing decking areas, hot tubs and pathways.

3. The application was determined on the basis of an erroneous plan without details of the sixth cabin. Since the latest plans give a more accurate picture of the position on the ground and the proposal I have taken them into account.

Main Issue

4. The main issue is the effect of the additional cabins, ancillary structures and the activity generated by the intensified holiday/tourism use on the character, appearance and arboricultural/ecological integrity of the woodland and the Lorton Vale which forms an integral part of the Lake District National Park.

Reasons

5. Planning permission was granted in February 2022 for the siting of three cabins for holiday/tourism purposes within about 0.95 ha of mature Oak woodland to one side of the access drive to Cornhow Farm, a mixed sheep and cattle farm in the Lorton Vale. The initiative is intended to help diversify the agricultural business and provide low-key tourist accommodation with minimal impact on the woodland, the cabins being portable with no foundations or mains services. The current application is to increase the number of cabins to six. On the date of the site visit six cabins were on site although it was not clear if all six were in use.
6. The original three cabins are of two designs. Hansel and Gretle, small timber cabins¹ clad with oak shingles and moss-covered roofs, and Larch Cabin, which may be larger and is of dark stained timber. To these have been added the Hutte, an oak shingle cabin similar to Hansel and Gretle, the Camping Pod, again small and of oak shingles but with a curved roof design and finally the Bus, a converted American-type school bus with the shell of a small camper van welded onto the roof. The latter is an intrusive, alien metallic feature totally out of place in its woodland setting with no architectural or cultural connection to the Lorton Vale. Indeed, the Bus does not fit the description of the permission for 'camping cabins'.
7. The design of the other five wooden cabins varies somewhat with the oak shingled cabins blending into the woodland most effectively. The dark stained Larch Cabin stands out more prominently within its setting but being within the overall woodland the variation in design does not in itself cause material harm.
8. Whilst the design and appearance of the wooden cabins (but not the Bus) may be visually acceptable in isolation, the primary impact of the scheme results from the numerous ancillary structures that accompany them and the level of activity that arises within the woodland as a result of their holiday/tourism use. The woodland is relatively small, and the latest plan 21.22.SP shows how a network of bark chipping and shale² paths have been laid out to serve the cabins, together with timber deck sitting out areas and hot tubs for the use of the occupiers, the latter apparently unauthorised by the planning permission. There are also barbeques, storage boxes, waste bins, gas tanks, outside seating and other paraphernalia around the

¹ The original design and access statement puts their size as 3.7 m x 5 m and 3.6 m to the ridge.

² Not a natural material in the woodland.

cabins. Outdoor living areas are no doubt necessary for supplementary space as the cabins are too small internally to provide adequate accommodation during a holiday break. However, the overall effect is of areas of domestic living clutter and activity within the woodland which forms part and parcel of the off-grid, back to nature type of break offered by the cabins but unduly detracts from the character and integrity of the woodland.

9. Whilst the 2021 application was accompanied by an arboricultural report³, this refers to the three cabins being on trailers with wheels to minimise the impact on the woodland, not the type used, and there is no reference to sitting out areas, hot tubs, barbeques or the impact of activity. The report's site survey shows trees in diagrammatic form only⁴, and whilst just five trees were said to be directly affected, the cabins have not been sited where shown on the plans so it is not clear that the recommendations in the report have been followed.
10. The current application is not accompanied by an arboricultural report assessing the impact of the original cabins or the new proposals on trees⁵, nor any ecological report assessing the impact of the existing or potentially increased holiday/tourism activity on the ecology of the woodland. In the absence of such reports or any mitigation/enhancement proposals the views of the NPA's trees and woodlands advisor are persuasive. The extra cabins will be likely to increase the pressure to manage trees for safety/clearance purposes, involve the loss of valuable open spaces/glades in the woodland and adversely affect the woodland habitat by increased human recreational activity and footfall leading to noise, trampling of plants, disturbance of wildlife, collection of firewood, damage to trees, setting of camp fires/barbeques and drifting/lingering smoke. The regular changeover of occupiers in the cabins also requires maintenance activity such as cabin cleaning, supplying water, firewood and clearing compost toilets. There are two storage buildings on the western side of the wood just outside the application site which appear related to the holiday/tourism use.
11. The woodland is sited on higher ground just to the northeast of Nos 1 and 2 Water Board Cottages, a pair of semi-detached houses, and adjacent to Woodhow, a bungalow on the farm access drive. Whilst the cabins are quite well screened within the woodland during the summer, they may be visible in winter and lights will be seen within the wood at night. As representations testify, nearby properties are close enough for the occupiers to be adversely affected by noise and disturbance from raised voices, barking dogs, music, drifting smoke, cooking smells and potential overlooking arising from activity within the woodland.
12. The approved plan 21.22.site Rev A shows a parking area for four cars outside the woodland adjacent to the access drive. This has been laid out and seems sufficient for the needs of the original three cabins. The current proposal as shown on plan 21.22.site Rev C shows an extension of this parking area to accommodate six cars by cutting into the raised bank. In the absence of an arboricultural report this may adversely affect adjacent trees. Additional parked cars would also be visible when approaching along the valley from the north, increasing the visual impact of the proposal.

³ Dated 28 September 2021 by Matthew Jones, The Care of Trees Consultancy.

⁴ Inexplicably the diagrammatic trees on the latest plans 21.22.site Rev C and 21.22.SP appear in different places.

⁵ For example, the Hutte is sited hard up to a tree.

Conclusion

13. For these reasons the additional cabins, ancillary structures and activity generated by the intensified holiday/tourism use would significantly harm the character, appearance and arboricultural/ecological integrity of the woodland and the Lorton Vale which forms an integral part of the Lake District National Park. The proposal thus conflicts with Policies 01, 02, 04, 05 and 06 of the Lake District National Park Local Plan 2021. These seek to conserve and enhance the extraordinary harmony and beauty of the Lake District landscape and its special qualities by protecting and enhancing its authenticity and integrity, ensuring the highest level of protection is given to the landscape, ensuring that the type, scale and level of activity maintains local distinctiveness and tranquillity, ensuring development is of a scale and nature appropriate to the character and function of the location, reinforcing local character, does not have an unacceptable impact on the amenity of adjoining residents, and protects important habitats, sites and species.
14. The proposal also conflicts with the legislative duty to seek to further the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of National Landscapes such as the Lake District. Whilst the second purpose, to promote opportunities for the understanding and enjoyment of such areas by the public, might be argued to support the proposal, the conflict must be resolved in favour of the first purpose in accordance with the Sandford Principle.
15. The appeal should therefore be dismissed.

David Reed

INSPECTOR