



Appeal Decision

Site visit made on 1 September 2025

by **A Dawe BSc (Hons), MSc, MPhil, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 3 December 2025

Appeal Ref: APP/D0840/W/24/3352494

Gillyflower Golf, Cott Road, Lostwithiel, PL22 0HQ

- 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 A Smit against the decision of Cornwall Council.
 - The application Ref is PA23/02502.
 - The development proposed is Gillyflower Golf clubhouse and reception, 19 holiday lodges (apart-hotel c1 use class), small classroom and new access and parking arrangements.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the appeal was submitted, a new version of the National Planning Policy Framework has been published dated December 2024 (the Framework). Notwithstanding that the Appellant has made some references to that new version in their Rebuttal Document dated 18 December 2024, the main parties were invited to make comments on any changes to the Framework relating to their respective cases as that is the version I have taken account of in this decision. The parties would therefore not be prejudiced by this.

Main Issues

3. The main issues are the effect of the proposed development on:
 - i) the character of the surrounding Area of Great Landscape Value (the AGLV);
 - ii) the significance of the Scheduled Monuments comprising Restormel Castle: motte, bailey and shell keep (Restormel Castle), and Roman fort, annexes and temporary camp, 290m south-west of Restormel Farm (the Roman fort and camp); the Grade II* Registered Park and Garden (RPG) known as Lanhydrock; the listed Battlefield relating to the Battle of Lostwithiel 21 August 1644 (the Battlefield); the Restormel medieval deer park; and the Lostwithiel Conservation Area (the CA); and whether it would preserve the setting of the Grade I listed Church of St Bartholomew.

Reasons

Character of AGLV

4. Policy 2 of the Cornwall Local Plan Strategic Policies 2010-2030 (the Local Plan) relates to the spatial strategy and sets out, amongst other things having regard to this issue, that proposals should ensure the design of development is high quality

and demonstrates a cultural, physical and aesthetic understanding of its location; consider the impact of development upon the beauty and diversity of landscape, and the character and setting of settlements; identify the value and sensitivity of the character and importance of landscapes; and protect, conserve and enhance the natural and historic landscape.

5. Policy 5 of the Local Plan sets out that proposals for new employment land and uses should, amongst other things having regard to this issue, in the countryside and smaller rural settlements be of a scale appropriate to its location or demonstrate an overriding locational and business need to be in that location such as farm diversification; and that the development of new or upgrading of existing tourism facilities through the enhancement of existing or provision of new, high quality sustainable tourism facilities, attractions and accommodation will be supported where they would be of an appropriate scale to their location.
6. Policy 12 of the Local Plan requires development to ensure Cornwall's enduring distinctiveness and maintain and enhance its natural and historic character, demonstrating, amongst other things having regard to this issue, an appropriate scale, density, layout, height and mass with a clear understanding and response to its landscape setting.
7. Policy 23 of the Local Plan requires development to, amongst other things having regard to this issue, be of an appropriate scale, mass and design that recognises and respects landscape character of both designated and un-designated landscapes; take into account and respect the sensitivity and capacity of the landscape asset, considering cumulative impact and the wish to maintain dark skies and tranquillity in areas that are relatively undisturbed, using guidance from the Cornwall Landscape Character Assessment and supported by the descriptions of Areas of Great Landscape Value (AGLVs); and, within AGLVs, to maintain the character and distinctive landscape qualities of such areas.
8. Saved policy 14 of the Restormel Local Plan (the RLP) sets out that developments will not be permitted that would cause harm to the landscape, features and characteristics of AGLVs.
9. In considering this issue, along with all other relevant evidence and my own observations, I have taken into consideration the Appellant's Landscape and Visual Impact Appraisal which has been prepared in accordance with the Guidelines for Landscape and Visual Assessment – Landscape Institute and Institute of Environmental Management and Assessment Third Edition (2013).
10. Although the site comprises land that was part of a golf course, with associated alterations to the landscape, it is currently generally open and undeveloped, used primarily as part of a much larger commercial orchard which extends to the north beyond an immediately adjacent potager, north-east, east and south-east of the site. The orchard also extends to the north of the lane which bisects the land owned by the Appellant. There is also an informal parking area in the north-western area of the site serving the existing golf course on the west side of Cott Road, with an access drive running from the site's south-west access point, where the surfacing is initially tarmac as is the case for another access point to the north of the car park.
11. The site is also located on the valley side and therefore in a raised position thereby adding to its sense of openness. There are however lines or belts of mature trees on and surrounding the site, particularly alongside Cott Road to the west of the site,

along part of the southern boundary of the main part of the site and bisecting the site north to south towards its eastern side, which are largely deciduous albeit with the latter including a significant proportion of evergreens. There are also mature hedgerows to the south of the main part of the site and, just to the east of the potager, bisecting it north to south incorporating a small number of spaced out tall deciduous trees. The orchard fields beyond the site boundary are also bordered by mature hedgerows or tree lines.

12. The site is distinctly separate from the northern settlement edge of Lostwithiel although in relatively close proximity to the complex of buildings just to the west of the existing main site access, that I understand were formerly associated with the golf club. There are other nearby buildings to the east and south of the site, but which are sporadically located.
13. The site is located within the Boconnoc AGLV which is centred on the Fowey Valley around Lostwithiel and the parklands of Boconnoc. As described in the 2023 Cornwall AGLV Review, the section of the Fowey Valley relating to the Boconnoc AGLV is wide, enclosed by steep valleys which meet the surrounding rolling plateau landscape. There are modern influences, including the A390 and railway transport routes and developments such as relating to Duchy nursery north of the appeal site and Duchy Timber to the east of Lostwithiel. Nevertheless, to the north of Lostwithiel, the combination of the generally steep sided valley, the presence of extensive woodland on the valley sides and alongside the river, with pastoral fields on gentler lower slopes, albeit including the Gillyflower golf course, give it a pleasant sense of enclosure and intimacy in the river valley, and with open, expansive views across the valley from the higher slopes. Remoteness and tranquillity are also features of the AGLV albeit impacted by Lostwithiel and the A390.
14. Ornamental parkland associated with Lanhydrock RPG adds to the natural and cultural qualities of the AGLV, with the Roman fort and Norman Restormel Castle adding to the time depth of the landscape along with the historic settlement of Lostwithiel itself. Also contributing to the landscape value of the AGLV are the associations with it, including the Registered Battlefields relating to the Civil War.
15. Notwithstanding that general character, the site is located close to Lostwithiel at a point where the Fowey valley starts to turn into the tributary valley to the east. Here the slope of the land is generally less steep than that on the opposite western side of the Fowey valley and further to the north. Also, away from Cott Road, whilst there are belts of trees on the site and its immediate vicinity, that mature tree cover is not as extensive as other parts of the valley opposite and to the north, notwithstanding the extensive planting of orchard trees, together with the potager. That lesser extent of woodland also reflects the former golf course use to the east of Cott Road, albeit now less obvious as a managed feature of the landscape in that sense due to the less manicured appearance, notwithstanding the presence of the orchard and associated formal planting patterns.
16. The site is therefore not in a remote location relative to Lostwithiel and has been subject to those varying degrees of formality in its landscaping. As such, it is not wholly reflective of the general landscape character of the AGLV. Nevertheless, it is noticeably beyond the settlement edge and raised up from the nearest buildings on the edge of the town, in a location where there is a strong sense of openness as

the landscape transitions to the steeper valley sides to the north, with a resultant degree of tranquillity and limited sources light emissions.

17. With the proposed development located on the lower slopes of this part of the valley, together with the less steep gradient of the land, this would enable some degree of visual screening by existing mature trees. However, despite being on the lower slopes, it would still be in a relatively raised position relative to the adjacent section of Cott Road, the nearest part of the main settlement to the south and the group of former golf club buildings to the south-west on the opposite site of Cott Road. The significant amount of proposed new built form on the site would therefore run contrary to that high degree of characteristic openness, despite the degree of past alterations to this part of the landscape. The extent of mature tree cover on the site and in the vicinity, whilst likely to have some screening and softening effect, would have varying degrees of effectiveness in these respects, depending on the viewing position and seasonal variations in leaf cover.
18. The proposed clubhouse would be positioned relatively close to Cott Road and its associated tree cover. That, together with other intervening trees, would ensure the likelihood of varying degrees of screening or softening of the clubhouse, including seasonally, depending on leaf cover. That would include from various public viewpoints in and around Lostwithiel, in particular to the south and south-west, and from the opposite side of the Fowey Valley to the north-west, albeit with the number of such viewpoints and the extent of views, to varying degrees, limited by the presence of foreground buildings, topography or accessibility and foreground vegetation. The proposed choice of external materials, including partial use of cedar shingles, which would be likely to weather over time, would also be likely to reduce the extent to which the eye would be drawn towards the clubhouse from those viewpoints. That along with the effect of proposed new planting to some degree, particularly once matured, and the diminishing effects the further away the view point. I also acknowledge the traditional design of the proposed clubhouse.
19. However, despite those factors, the clubhouse would still be set noticeably higher than the adjacent section of road, thereby reducing the full effectiveness of those nearby mature trees to screen or significantly soften it. There is also uncertainty as to the extent to which proposed planting to the immediate south of the proposed clubhouse would be effective in this respect, relating to any levels differences and the density of such planting. There would also be no clear guarantee as to the long-term condition or survival of that planting in providing any screening or softening, despite the management intentions.
20. Furthermore, the clubhouse would have long expanses of roof slopes, most prominently that relating to the southern range, with a gable ended central element projecting back to the proposed courtyard area, along with the northern range albeit broken centrally by the proposed courtyard area. That building would also have a significant overall mass by virtue of its substantial width, depth and generous single storey height with fairly steep pitched roof, notwithstanding the inclusion of a significant flat roof element and some degree of cutting into the gentle slope of the land. Along with the proposed associated hard surfacing and likely associated increased vehicular activity, the clubhouse would therefore in itself represent a significant intrusion of built form onto the site.
21. The proposed accommodation drum units (the drums) would generally be located on slightly higher land than the clubhouse and set further away from the Cott Road

trees. As such, despite some tree cover from the trees on and around the site, it is likely they would be more visually exposed than the clubhouse from those viewpoints of the site to the south, south-west and north-west, albeit with those same limitations referred to in relation to the clubhouse. That would particularly relate to those in the main grouping between the proposed clubhouse and belt of trees separating those drums from the smaller easternmost grouping, albeit to varying degrees, as well as the southernmost two storey drum of the latter.

22. The intention would be for the drums to be cut into the existing slope of the site, with bunds then created, and they would have a rounded, non-angular and timber clad appearance with green roofs. This, together with the proposed tree planting amongst them would be likely to provide some degree of screening or softening effect, particularly as materials weathered and the planting matured; albeit with that same degree of uncertainty as to the long term condition or survival of the new planting as referred to previously, and again with no indication that it would be so dense as to have a significant screening effect.
23. Nevertheless, each drum would still have a significant width, depth and generous height at the highest point, more so with the triple drums, with the slopes of the green roofs generally not angled with the natural slope of the associated land. As such, each drum would represent a significant structure in its own right. Their clustering, together with the associated number of engineered and regular circular bunds, would further draw attention to them, in occupying a significant area of land, despite the proposed planting and other mitigating factors referred to above. For these reasons, the element of the proposals relating to the drums, again including associated new hard surfacing and vehicles, would add further significant intrusion of built form onto the site.
24. Despite measures intended to restrict light spill, and scope to control this to some degree by condition, the proposals, including lights from car headlights, would also inevitably increase the degree of light emissions compared with the existing use of the site.
25. The overall result, relating to both the clubhouse and drums, would be a substantial amount of the sizeable site being taken up with built form and associated new hard surfacing and vehicles, that would also be likely to be visible as such from various viewpoints, albeit to varying degrees and lessening to some extent over time. As such, it would represent an uncharacteristic and overly prominent form of development in that part of the AGLV, up the lower slopes of the valley side and apart from the settlement edge.
26. I note the presence of other development nearby, but as referred to previously, this is sporadically positioned beyond the main settlement edge of Lostwithiel. Those former golf club buildings represent a significant cluster of buildings. However, they are lower down the valley side and generally well screened or softened by intervening mature trees. Any other nearby development is clearly more separate from the site, and furthermore, their presence does not negate the cumulative effect of adding the proposals into that wider landscape, even if only a relatively small part of it.
27. For the above reasons, I conclude on this issue that the proposed development would harm the character of the surrounding AGLV. As such it would be contrary to policies 2, 5 (insofar as it relates to this main issue, with the factor of whether there

is any overriding locational and business need considered later in the overall planning balance), 12 and 23 of the Local Plan and saved policy 14 of the RLP. Taking account of the submitted evidence, my observations and all of the factors referred to in my findings, I consider the extent of such harm would be at a moderate adverse level. I shall consider this further in the overall planning balance.

Heritage assets

28. Policy 2 of the Local Plan relating to the spatial strategy requires, amongst other things in respect of this issue, consideration of the impact of development on the historic value of Cornwall; identification of the value and sensitivity of historic assets (HAs); and protection, conservation and enhancement of the historic landscape and heritage in recognition of their international, national and local status.
29. Policy 24 of the Local Plan relates to the historic environment, setting out that development proposals will be permitted where they would sustain the cultural distinctiveness and significance of Cornwall's historic rural, urban and coastal environment by protecting, conserving and where appropriate enhancing the significance of designated and non-designated assets and their settings. It goes on to require, amongst other things, development proposals to sustain designated heritage assets; take opportunities to better reveal their significance; maintain the special character and appearance of Conservations Areas; conserve and, where appropriate, enhance the design, character, appearance and historic significance of historic parks and gardens; and conserve and, where appropriate, enhance other historic landscapes and townscapes, including registered battlefields. Proposals causing harm will be weighed against the substantial public benefits of the proposal and whether it has been demonstrated that all reasonable efforts have been made to, amongst other things, mitigate the extent of the harm to the significance of the asset.
30. Policy EH2 of Lostwithiel Neighbourhood Plan, December 2018 (the LNP) relates to protecting the heritage of the town and states, amongst other things, that planning applications should ensure that the scale, mass and positioning of any new buildings reflects the purpose for which they are proposed, and not overwhelm noted landmark buildings nearby; and utilise design principles and materials that harmonise with the setting, utilise materials sourced locally, and avoid uniformity of design.
31. The very high significance of Restormel Castle is derived from being a particularly well-preserved motte and bailey castle, with one of the most intact of all known shell keeps dating to c.1200, the visible internal structures dating to later in the 13th century, and the chapel also being a 13th century addition. It has great historical importance as one of the four major castles of the Earls of Cornwall and their principal residence in the later 13th century. I also understand that the castle was briefly garrisoned for the last time during the Civil War; and that it retains considerable potential for future contributions to the study of this important class of monument. The castle also has significance in terms of its location in the Lanhydrock RPG and being part of the planned views from the southern section of the RPG.
32. In terms of the castle's setting, there have been various changes since it was constructed including tree planting, which softens or partially screens it, particularly from the north and west, and interventions including agricultural uses, the railway

and more recent developments. I also understand that at some point before 1542, Henry VIII converted the royal park at Restormel to open countryside. However, despite the changes and interventions, they are not such as to prevent the surrounding landscape continuing to have importance in terms of castle's setting and enabling a good appreciation of that Scheduled Monument. It remains a prominent feature within the valley landscape, reflecting its historic importance. The castle's setting therefore greatly contributes to the significance of that HA.

33. The site itself is set within that important setting. Nevertheless, whilst it has been the subject of interventions such as the former golf course area, tree planting and orchard, it nevertheless contributes to the generally open setting, being clearly detached, albeit relatively close to, the main built-up area of Lostwithiel. However, it is at some distance away from the castle, and in terms of intervisibility has significant screening or softening from intervening mature trees, albeit more so in the months of leaf cover from deciduous trees. Relative to the significant intervening and surrounding valley setting of the castle, the site therefore makes only a small contribution to that overall setting.
34. The proposed development would represent a further intervention into the castle's setting where, beyond the settlement of Lostwithiel, built development is sporadic. Furthermore, it is likely that there would be some degree of visibility from the castle, more likely to be so from the battlements, including in hours of darkness with some degree of light spill likely, and particularly in the months of deciduous leaf fall. Nevertheless, design features such as the green roofs of the drums, extent of tree cover and the intervening distance would be likely to diminish its visual impact. Over time, maturing on-site planting, albeit reliant on its long-term survival or condition, and weathering of building materials would be likely to further lessen that impact. It is therefore likely that there would be a limited effect on the setting of the castle.
35. The significance of the RPG includes its mid-17th century origin, and the presence of Restormel Castle at its southern end which was exploited as a picturesque feature in views from Lanhydrock in the late 18th century. The RPG is therefore significantly separated from the appeal site such that the proposal would not physically change it. Furthermore, the intervisibility would likely be restricted to those views to and from the castle referred to above. As such, it is likely that any effect on the setting of the RPG would, similarly, be limited.
36. The very high significance of the Roman fort and camp is derived from its survival as low earthworks and buried archaeological deposits; the significant archaeological potential for buried remains which would increase knowledge of the occupation of the site and understanding of Roman military activities in Cornwall more generally; and its rarity, with the camp, pre-dating the fort, being one of only a small number identified nationally and the fort one of only three examples identified in Cornwall. The monument is located on a spur above the River Fowey where, in the Roman period, it would have been near to the river's tidal limit and where the river was navigable, such that it could have been accessed by boat from headquarters in Exeter. The fort's position may also indicate its association with the exploitation of mineral resources in the area, and possibly also with a river crossing. Its setting in these respects therefore highly contributes to the asset's significance.

37. However, due to intervening tree screening, there is likely to be, at most, little intervisibility between the monument and appeal site and likewise the proposed development. As such, together with the degree of separation, and with no clear effect of the proposals on those features that the HA was associated with referred to above, it is likely that the significance of the Roman fort and camp would be preserved.
38. The Restormel medieval deer park relates to a large area of land surrounding Restormel Castle, also taking in the Roman fort and camp and the southern area of the RPG. As a non-designated HA, it derives its significance from having been laid out in the second half of the 12th century and with a direct relationship to the castle. I understand that the deer park was disparked in the early 1540s such that the farming uses then introduced resulted in fields with new hedged boundaries. However, the generally large field sizes continue to provide a visible reference to the former deer park. Furthermore, the generally open setting to this HA contributes to its significance.
39. The former deer park area does not take in the appeal site such that there would be no direct impingement of development on the land comprising that HA. Nevertheless, the HA is currently understood to include intervening land to the north-west between the castle and the River Fowey, the opposite side of the river to the west, and land to the north of the site, albeit clearly separate from it. The site is therefore located close to this HA and within its generally open setting on its south-eastern side. However, any intervisibility is largely limited, being mostly restricted to higher points of the former deer park, including the castle and the footpath on its western edge, as would be the case with the proposed development, including at nighttime with the likely degree of light spill referred to previously. Together with similar mitigating factors as referred to in respect of the castle, the impact of and harm caused by the proposals on the significance of the deer park would therefore be limited.
40. The Battlefield, relating to the Battle of Lostwithiel 21 August 1644 at Beacon Hill, Druids Hill and Restormel Castle, derives its significance historically from relating to one of the two key actions in the Lostwithiel campaign, which culminated in the worst defeat suffered by a parliamentary army during the war and the royalists' greatest success; topographically, in terms of the battlefield area remaining largely undeveloped and permitting the course of the battles to be appreciated; archaeologically, in terms of the potential of the battlefield land to provide significant insights into the nature of hedge fighting in the 17th century; and for the group value with Restormel Castle, St Nectan's Chapel (Grade II* listed), other designated assets associated with the Civil War within and near to the registered landscape and the registered battlefield relating to fighting on 31 August and 1 September 1644.
41. The appeal site is not within the Battlefield area. As such the proposed development would not impinge on the largely undeveloped nature of that asset and the corresponding ability to appreciate the course of the battles. Furthermore, due to the degree of separation of the proposed development from the Battlefield asset, there would be no direct archaeological impact. The surrounding setting, including in relation to troop movements, despite significant changes to the landscape over time since the battles, remains important. Nevertheless, in the context of those changes to the landscape setting that have occurred, the proposal

would be unlikely to significantly impact upon the current extent to which the Battlefield can be appreciated within the landscape.

42. The proximity of the site to the Battlefield means that there is general potential for it, as part of the setting, to contain artefacts relating to the battle and troop movements. However, I have no substantive evidence to indicate that this could not be addressed through archaeological investigation work on the site in accordance with a written scheme of investigation, which could be secured by a condition. The proposed development would therefore be unlikely to harm the significance of the Battlefield.
43. The CA derives its significance from the variety of buildings, including a significant number of listed buildings, forming the town's historic core, dating from the Medieval period and reflecting the relationship with the construction of Restormel Castle and deer park and thereafter the town's expansion through different historic periods. Expansion of the settlement immediately to the north of the main body of the CA is limited, and to its north-east, in the direction of the appeal site it is largely restricted to lower lying land than that of the site. In that context the CA's distinctiveness and character is also highlighted by its close relationship to and degree of containment by the pleasant and largely undeveloped river valley to its north, albeit a landscape with those interventions since medieval times referred to previously.
44. In respect of the listed Church of St Bartholomew (the LB), I have had special regard to the desirability of preserving its setting. The church is located within the centre of the CA and derives its significance from, amongst other things, its dominant tower and spire dating from the 13th and 14th centuries. The spire of the church is a prominent and distinctive feature in views from various surrounding vantage points, drawing the eye as a focal point of the townscape. From higher level vantage points to the south-west and west of the town, the spire can be seen, to varying extents, in the context of the countryside setting of the Fowey Valley beyond the town to the north and north-east. That setting, for both the LB and CA, forms a pleasant, generally open backdrop with limited sporadic development seen within it, albeit that the expanse of such views varies depending on the extent of framing by foreground features.
45. The proposed development, being in that raised position relative to existing buildings nearest to the site on the edge of the town and of the former golf club, would be seen in the context of the CA and LB particularly from those raised vantage points referred to above to some degree, more so in the months of deciduous tree leaf fall. That would also be likely to some extent at nighttime with any light emission from the proposed buildings and associated vehicles, again notwithstanding any proposed measures to control that.
46. Nevertheless, the proposals would also be seen as clearly separate from the town, at a distance that would reduce its massing effect, and at such a level as to be at least partially screened or softened by intervening trees. The proposed additional planting, albeit dependent on its long-term survival or condition, together with the green roofs to the drums and any weathering of materials would be likely to further diminish its visual effect. As such, whilst it would alter the backdrop of such views of the CA and LB and be likely to draw the eye to some degree, the extent to which the proposals would be likely to detract from the distinctiveness and prominence of the church spire or the nature and form of the CA and its setting would be limited.

47. I have also had regard to whether the proposed development would provide heritage benefits. Firstly, it is claimed that the proposal represents a positive strategy for the conservation, enjoyment and better interpretation of the historic environment associated with the Battle of Lostwithiel. That includes in relation to the proposed new classroom, interpretation material, and the new footpath in terms of promoting better access to the HAs associated with that battle. In this respect, whilst the potential for additional education would be beneficial, the nature and extent of use of the classroom for that purpose, and of any interpretation material, is unclear, as is the degree to which such additional education provision would add to any existing sources of information.
48. Furthermore, the new footpath would enable pedestrian access to the Registered Battlefield without people having to walk along the stretch of the narrow Cott Road to the west of the site, likely therefore to be safer. However, I have no documented evidence of any harmful conflict between vehicles and pedestrians along that stretch of Cott Road or any substantive evidence to indicate that the existing road is so unsafe a route as to significantly deter pedestrians. It is also unclear as to the degree to which the footpath would link up with other off-road routes to the north without at least some further necessary road walking, and without any certainty relating to any future new footpaths. Additionally, in terms of access to those other HAs north of the site referred to previously, and experience of their settings, generally I noted this is not currently reliant solely on that route along Cott Road. The extent to which the proposed footpath would increase accessibility to the HAs is therefore likely to be limited.
49. It is also claimed that the northern section of the proposed new footpath would provide views of Restormel Castle and the Registered Battlefield. However, it is likely that any such views would be significantly restricted by intervening trees alongside the adjacent roads and so unlikely to significantly add to any existing experiences of those HAs from other vantage points.
50. The Appellant also claims that there would be the potential to work with neighbouring landowners to develop a 'heritage trail' for Lostwithiel, delivering significant heritage and economic benefits to the local area. However, despite any such potential, I have received no substantive evidence relating to a means to secure or guarantee such a trail.
51. It is also claimed that the landscape would be enhanced through the introduction of historical features such as orchards, and hedgerows that defined the 'hedgerow' fighting of 1644. Whilst I note the intention for the orchards planted on the Appellant's land to include rare and historic varieties, the extent to which that would represent a heritage benefit arising from the proposed development is unclear. Furthermore, it is unclear as to how proposed new hedgerows would represent those used on the Registered Battlefield, particularly given the degree of separation of the site from that HA; and the extent to which any such intended hedges would be reliant on the proposed development, notwithstanding the intended on-site hedgerow biodiversity net gain units.
52. Reference is also made to the proposed development making use of the heritage skills of the Appellant's team, including those relating to practical conservation and the interpretation of heritage significance. However, I have no substance details relating to such skills and the extent to which this would represent a heritage benefit.

53. For the above reasons, the proposed development would cause harm to the significance of Restormel Castle, the RPG, the deer park, and the CA and would fail to preserve the setting of the LB, and any heritage benefits deriving from the proposals would be insufficient to justify that harm. As such, in respect of this issue, the proposed development would be contrary to policies 2 and 24 of the Local Plan, notwithstanding that policy 24 also includes provision for a heritage balance which I shall consider below, and policy EH2 of the LNP. The proposal would also be contrary to paragraph 210 of the Framework which highlights, amongst other things, the desirability of sustaining and enhancing the significance of heritage assets.
54. For the purposes of the heritage and overall planning balance, which I shall come on to, the harm found above to the significance of the designated HAs comprising Restormel Castle, the RPG, the CA and the LB carries considerable importance and weight.
55. Paragraph 212 of the Framework states that when considering the impact of a proposed development on the significance of a designated HA, great weight should be given to the asset's conservation. Paragraph 213 goes on to state, amongst other things, that any harm to, or loss of, the significance of a designated HA should require clear and convincing justification.
56. Paragraph 216 of the Framework states that the effect of an application on the significance of a non-designated HA should be taken into account in determining the application and that in weighing applications that directly or indirectly affect non-designated HAs, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the HA. As such I shall take account of the albeit limited level of harm that would be caused to the significance of the deer park in the overall planning balance.
57. Having regard to my findings relating to the effect of the proposed development on the designated HAs referred to above, the harm caused to them would be less than substantial in this case and at the lower end of the scale of such harm. Having regard to paragraph 215 of the Framework, as I have found there would be less than substantial harm to the significance of designated heritage assets, this harm should be weighed against the public benefits of the proposals including, where appropriate, securing their optimum viable use.

Heritage balance

58. The proposed development would provide improved facilities relating to the existing golf course, primarily in the form of a clubhouse, and thereby be likely to encourage greater future use of the course from a health and wellbeing perspective for local people and tourists. Such increased use would in turn be more likely to ensure the ongoing viability of the golf course in providing such benefits. It would therefore make provision for an improved local outdoor sporting facility for the town and its vicinity, in circumstances set out in the LNP whereby it is noted that *'the level of outdoor sports when combined (public and private sports space) is considerably lower than the larger town average, but this is partly as a result of the allowance for the closure of the golf course'*. The proposed holiday lodges would also be likely to contribute to that ongoing use of the golf course and associated benefits, providing convenient accommodation for tourists wishing to play golf. I also note the Appellant's stated commitment to the golf course.

59. Such health and wellbeing benefits relating to the ongoing operation of the golf course would therefore be significant, although likely that they would be mainly limited to those who wish to play that specific sport. I therefore attach a moderate degree of weight to those benefits.
60. It is claimed that the proposals would secure and sustain the current and future horticultural operations, including the preservation of rare and historic varieties of fruit trees and vegetables, and associated economic knock-on effects and significant environmental benefits, along with producing quality food on a commercial scale. I understand that the intention would be for the proposals to support extensive new tree planting and ongoing horticultural work, albeit I have no substantive details of such future intentions, other than as relating to those various trees intended to be planted on the appeal site itself, and noting that extensive orchard planting has already taken place on the wider land under the Appellant's ownership.
61. However, notwithstanding planting undertaken within the existing golf course area, of which I have no substantive details, it is unclear from the financial information submitted the extent to which the viability of the Appellant's existing and intended ongoing horticultural operations, including orchards and potager, and associated employees, are reliant upon the success of the golf course and the income arising from the proposed development. It is also claimed that over time there would be air quality improvements, together with increased carbon storage, through the planting of the orchard trees. Whilst that is likely to be so, the extent of the overall benefit to the environment in these respects is unclear, and in any case again it is unclear as to the extent to which the orchard operation would be reliant on the proposed development. For these reasons I afford limited weight to any claimed local economic, environmental and food variety and quality benefits, associated with the Appellant's horticultural operations, arising from the proposed development.
62. I acknowledge that the proposed classroom would have the potential to facilitate educational benefits arising from the Appellant's intended ongoing environmentally sustainable horticultural operations. However, the extent to which such a facility would be necessary to enable such opportunities is unclear. Likewise, it is unclear as to the nature and extent of any likely use of that classroom for educational purposes relating to the local natural environment. I therefore afford little weight to the benefit of providing such a facility for those purposes.
63. The proposed development would provide high quality tourist accommodation, thereby having the benefit of adding to the range of accommodation options in the area, whilst being likely to contribute to preventing pressure for conversion of existing homes to holiday accommodation and any resulting effects on local housing availability and affordability. In this respect, the proposal would be consistent with Policy 5 of the Local Plan which supports the development of new or upgrading of existing tourism facilities through the enhancement of existing or provision of new, high quality sustainable tourism facilities, attractions and accommodation; albeit that the policy goes on to stipulate, amongst other things, that this is where they would be of an appropriate scale to their location.
64. The provision of such accommodation, together with any increase in day visitors to the golf course, would therefore be likely to contribute to the local economy through increased tourist spending, particularly given its close proximity to Lostwithiel. Furthermore, I have no substantive evidence to indicate that the proposals would

take significant business away from existing local hospitality businesses, especially if attracting additional golfing visitors, with regard to effects on existing tourist accommodation. Nevertheless, I also have no substantive evidence to indicate that the position of the local economy is such that it would be likely to draw substantial benefit from such increased input. I therefore afford moderate weight to such a benefit.

65. Furthermore, the operational phase of the proposals would have the benefit of providing additional employment for the area across a range of roles, as well as there being a greater likelihood of retained existing employment relating to the golf course. However, in light of my findings above relating to the Appellant's retained and ongoing horticultural operations, the extent to which that benefit would apply to existing or any new employees relating to those operations is not clear. I nevertheless afford significant weight to the operational employment benefits of the proposals.
66. The proposed development would also have the economic benefits associated with the provision of construction jobs and other construction related activity. However, they would be on a relatively short-term basis such that I afford those benefits moderate weight.
67. As previously referred to, it is claimed that there would be various heritage benefits arising from the proposed development. However, for the reasons that I have set out under my considerations of the second main issue concerning HAs, I afford little weight to any such benefits.
68. The proposed footpath linking to the existing roadside footway to the south of the site would enable access to the countryside on foot without people having to walk along the stretch of the narrow Cott Road to the west of the site, likely therefore also to be safer. However, as I have found previously in relation to heritage considerations, I have no documented evidence of any harmful conflict between vehicles and pedestrians along that stretch of Cott Road or any substantive evidence to indicate that the existing road is so unsafe a route as to significantly deter pedestrians. I have also previously found that it is unclear as to the degree to which the footpath would link up with other off-road routes to the north without at least some further necessary road walking, and without certainty relating to the provision of any future new footpaths beyond the site. I therefore attribute limited weight to this benefit relating to increased access to the countryside.
69. There would be an intention for Biodiversity Net Gain (BNG) to be provided as a result of the proposed development amounting to 12.86% overall increase in habitat units, including on-site net loss and off-site net gains, and an on-site gain of 848.74% in hedgerow units. Such provision would clearly be beneficial, albeit that net gains are a national policy expectation, and that I have found it unclear as to the extent to which the Appellant's horticultural operations would be reliant on the proposed development, having regard to the proposed off-site BNG. There would also be the benefit relating to the intended ongoing management of the golf course landscape from an environmental perspective. Additional ecological enhancements in the form of bird and bat boxes and bee habitats are also proposed and which would be beneficial. I therefore attribute moderate weight to the proposals with regard to those combined biodiversity and ecology benefits.

70. It is also a specific intention to protect and enhance Cornish banks around the site. However, the extent of any such protection and enhancement works is unclear from the submissions. Furthermore, the degree to which that would relate to the actual appeal site as opposed to the wider surrounding land owned by the Appellant and, again, to which it would be reliant on the proposed development is also unclear. I therefore attribute little weight to this specific factor.
71. The proposed development would include the provision of green roofs and associated environmental features, together with measures including Air Source Heat Pumps, PV panels and EV charging points, with an intention that staff and future occupiers would be able to utilise EV bikes and scooters. These would be important features of the proposals, however environmental sustainability measures such as those proposed should be expected of new development and so do not represent a clear benefit. I therefore attribute little weight to this factor.
72. Having regard to paragraph 215 of the Framework, under the second main issue I have found there would be less than substantial harm caused to the significance of the designated HAs comprising Restormel Castle, the RPG, the CA, and the Church of St Bartholomew. However, I have also found that this would be at the lower end of the scale of such harm. Whilst acknowledging the importance of any harm, in terms of the paragraph 215 heritage balance, the above public benefits would therefore outweigh that harm. I shall return to this below in the overall planning balance where consideration of benefits relates to those set out above, affording them the same respective weightings.

Overall planning balance

73. I have found that there would be less than substantial harm caused by the proposed development to the significance of Restormel Castle, the RPG, the CA, and the Church of St Bartholomew, and that the levels of harm would be at the lower end of the scale. I have also found that there would be limited harm caused to the significance of the former deer park. However, I have also found that there would be a moderate adverse level of harm caused to the character of the AGLV, which would be in addition and residual to that harm relating to the second main issue concerning HAs.
74. When combining that residual additional harm to the character of the AGLV with those albeit low or limited levels of harm to the significance of the HAs referred to above, the harm that would be caused by the proposed development would outweigh the benefits. Having regard to policy 5 of the Local Plan, I therefore also find there not to be an overriding locational and business need for the proposed development to be in that location.

Conclusion

75. The proposal would conflict with the development plan as a whole and material considerations do not indicate a decision should be made other than in accordance with the development plan. For the reasons set out above, I conclude that the appeal should be dismissed.

A Dawe

INSPECTOR