PLANNING AND HIGHWAYS COMMITTEE: TUESDAY 10 NOVEMBER 2026

Agenda Item 7: EN25/00266: Tregella Place Caravan and Camping, Tregella Lane, St Merryn: Appeal Against Enforcement Notice

1.0 **Overview**

1.1 Cornwall Council's Senior Development Officer has advised of an Appeal to the Secretary of State against a Cornwall Council Enforcement Notice for Tregella Place Caravan and Camping:

"Without planning permission, the material change of use of agricultural land through the extension of the existing holiday caravan and camping site (approved under planning permission PA21/09406) by the siting of caravans, motorhomes and tents for holiday accommodation, together with associated domestic paraphernalia, and the carrying out of associated operational development comprising hardstanding, access tracks and earth bund".

A full copy of the letter from the Cornwall Council Senior Development Officer can be found as Appendix 1 to this report, which details Cornwall Council's reasons for the issue of the enforcement notice, steps required to be taken and the appellant's grounds for appeal.

1.2 When considering the applications relating to this appeal, Committee have responded to the previous applications as follow:

PA21/09406 (Oct 2021): Retrospective planning for improvements to, and extension of, caravan park to replace toilet block with new laundry building, construct mower/equipment store, improvement and extension of access track and site mobile home unit to accommodate warden and office.
Padstow Town Council: **SUPPORTED**
Cornwall Council: **APPROVED** with conditions, of which 3 and 4 (referred to below):

3 The development hereby permitted shall not be brought into use except from April to October in each year. Reason: In order to safeguard the character of the surrounding area in accordance with Policy 23 of the Cornwall Local Plan.
4 The site shall not be used for the storage of caravans, including the Wardens mobile accommodation, when the development hereby permitted is not in use during the months of September to March in any year. Reason: In order to safeguard the character of the surrounding area in accordance with Policy 23 of the Cornwall Local Plan.

PA22/09479 (Oct 2022): Removal of condition 3 and variation of condition 4 of Application No. PA21/09406 dated 14th January 2022 (Retrospective planning for improvements to, and extension of, caravan park to replace toilet block with new laundry building, construct mower/equipment store,

improvement and extension of access track and site mobile home unit to accommodate warden and office).

Padstow Town Council: **SUPPORTED provided accommodation remains a mobile unit and not a permanent structure.**
Cornwall Council: **APPROVED** with the following conditions:

1 The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application". Reason: For the avoidance of doubt and in the interests of proper planning.
2 The total number of caravans permitted on site at any one time shall not exceed 30. Reason: In order to safeguard the character of the surrounding area in accordance with Policy 23 of the Cornwall Local Plan.
3 The site shall not be used for the storage of caravans, with the exception of the Wardens mobile accommodation, during the months of September to March in any year. Reason: In order to safeguard the character of the surrounding area in accordance with Policy 23 of the Cornwall Local Plan.
4 The Wardens mobile accommodation unit shall be used only to provide accommodation for an on-site warden/manager in association with the development hereby permitted. Reason: In order to promote the efficiency and growth of an established holiday use in conjunction with Policy 5 of the Cornwall Local Plan. Additionally the caravan park is sited in a countryside location that would otherwise be considered unacceptable for the creation of new independent residential dwellings contrary to policies 1, 2, 3, 7, 9, 12, 13 and 21 of the Cornwall Local Plan.
5 With the exception of the wardens unit, the development hereby permitted shall be used as holiday accommodation only and shall not be occupied as a person/s sole or main place of residence. The owners/operators shall maintain an up-to date register of the names of all owners/occupiers of each individual unit on the site, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority. Reason: To accord with development plan housing policies under which continuously occupied caravans would not normally be permitted on the site and the accommodation, by reason of its construction and/or design, is unsuitable for continuous occupation and in accordance with the aims and intentions of Policies 1, 2, 3, 7, 9, 12, 13 and 21 of the Cornwall Local Plan.
6 The new planting to be planted along the Eastern and Southern boundaries as detailed in plan and document Plan 1 shall be carried out in the first planting season following this grant of planning permission and be retained thereafter in accordance with details that have been approved in writing by the Local Planning Authority. If any part of said planting dies within 5 years of the date of this permission it shall be replaced in the planting season following its demise. Reason: In the interests of visual and residential amenity and in accordance with the aims and intentions of Policy 12 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030.

7 No grounds maintenance machinery shall be operated on the premises before 9am or after 5pm on any weekday, before 9am or after 1pm on any Saturday; nor at any time on Sundays, Bank Holidays or Public Holidays. Reason: In order to protect the residential amenities of the locality in accordance with Policy 12 of the Cornwall Local Plan.

8 The management rules within the noise assessment (section 2.2) dated 16/07/2021 shall be complied with in strict accordance and shall not be exceeded. Reason: To ensure that the development reduces any potential impact upon the residential amenities of the neighbouring properties; in accordance with the aims and intentions of policies 12, 13, and 16 of the Cornwall Local Plan Strategic Policies 2010 - 2030 and paragraphs 130(f), 174(e) and 185(a) of the NPPF 2021.

9 Within three months of the proposed buildings being placed on site, the current temporary structures and temporary internal access track shown on plan TCP2101 will be removed. Reason: To ensure the site accords with the development as approved.

PA24/07804 (Jan 2025): Retrospective application for creation of an internal track within the caravan site
Padstow Town Council: **SUPPORTED subject to Environment Agency being consulted on any further works proposed.**
Cornwall Council: **APPROVED** with one condition (referring to plans submitted for the application).

PA26/00813 (Feb 2026): Application for a Lawful Development Certificate for an existing use of land for ancillary uses to a camping and caravan site.
Padstow Town Council: **COMMENTS: i) Road does not comply with last planning application; ii) Reviewing all photographic evidence it is evidential in 2019 no caravans on lower part of the field and from 2020 there was sporadic camping on site which would fall within the 28 day rule; and iii) The 12 month occupancy is only for the field area that was granted planning permission.**
Cornwall Council: **REFUSED**: Based on the documentation provided in support of the application and, having regard to information available to the authority, it is considered that the applicant has failed to demonstrate that, on the 'balance of probabilities' the lawful use of the land, for ancillary uses to the camping and caravan site, has not been established for the requisite period of time, in order the grant the Certificate.

2.0 Consideration for comment on Appeal Against Enforcement

2.1 As detailed in the Senior Development Officer's letter, it is advised that the appeal will be determined on *written representations*.

Does Committee wish to make comments, or modify/withdraw previous representation? If so, these can be made online and are to be received by six weeks from the start date (deadline 7 December 2026).

It is noted that any representations submitted to the Planning Inspectorate will be copied to the appellant and Cornwall Council and will be considered by the Inspector when determining the appeal.