The Planning Inspectorate

Appeal Decision

Site visit made on 19 July 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 7 August 2017

Appeal Ref: APP/A2525/W/17/3172802
Lazy Acre Caravan Site, Little Dog Drove, Holbeach St Johns, Spalding PE12 8RR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr E McGowan against the decision of South Holland District Council.
- The application Ref H09-1276-16, dated 14 December 2016, was refused by notice dated 8 February 2017.
- The development proposed is the retention of change of use to touring caravan and camping site.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the determination of this appeal is the effect of the proposed development on highway safety with specific regard to the free flow of traffic and the suitability of the access.

Reasons

3. The appeal site is a rectangular parcel of land to the eastern side of Little Dog Drove which is a narrow, unlit, single width rural lane. The lane is not a through road. It is long and straight, running south from its junction with Jekil's Bank. There are no formal passing places on the lane albeit there are areas where it widens. These are points at, adjacent to or around private driveways and farm accesses that link to it. In the majority of cases it is not abundantly clear whether there is a grass verge either side of the metalled part of the lane or it is the continuation of a field. Field levels are generally lower than the lane's surface.

4. There is disagreement between the Council and the appellant over whether these informal 'passing places' form part of the highway maintained at the public expense. Regardless, their use would still effectively create an obstruction to movements in and out of farmyards and residential plots. More so with the former given the manoeuvrability of some large farm machinery.

5. I have further concern about the distance between these places should they be relied upon for avoidance purposes. Whilst the lane is straight and visibility good, its overall length creates some problems for one to accurately judge ones

distance to an oncoming vehicle and how close either party may be to a passing place. It seems clear to me therefore that the possibility of having to reverse down the lane cannot be ruled out. Added to this is the possibility of having to mount a verge if there is one and becoming stranded in a field lower than the lane if there is not. Neither one of these courses of action are ideal when towing a caravan or indeed where large and heavy agricultural machinery may be involved.

6. I do agree with the appellant that the lane is lightly trafficked. Indeed during my site visit I observed a quiet area with very few movements. I equally acknowledge however that activity on the surrounding fields was limited, it was the middle of an average week day and the caravan site was not in operation. The proposed plans show a total of 15 touring pitches which is substantially more than the certified number that could lawfully operate from the site. Whilst I accept that all of the pitches might not be occupied at once and arrivals and departures can be staggered over a number of days, there would be a noticeable number of additional comings and goings associated with them over and above the existing situation. Further, this does not take into account the intended tent pitches shown on the proposed plan, the upper limit of which is not specified.

7. There is already some limited evidence of vehicle overrun either side of the lane and the edges of the camber show signs of excessive wear which has dropped the surface level by a significant amount in places. The net increase in movements associated with the site, taking into account the avoidance measures that some vehicles may have to take, can only contribute to these problems. I acknowledge the evidence that the appellant has provided with regard to typical towing vehicle and caravan loading weights but this does not sufficiently mitigate my concerns over the increase in the frequency of vehicle use of the lane which it does not appear to be designed to cope with.

8. I have concerns therefore that the establishment of the use of the appeal site for the number of pitches proposed would increase the use of the lane by a substantial amount. It would have the potential to increase the likelihood of avoidance measures having to take place which would involve overrun onto verges and possibly into fields, obstruction of private access points, unsafe reversing manoeuvres in the highway and further damage to a weak and already structurally compromised surface.

9. The proposed development would therefore be unacceptable in the context of the safe use of and free flow of traffic in the highway. The access to the proposed development would therefore be unacceptable. This would result in confliction with saved Policies LT7 and SG15 of the Local Plan. These Policies, amongst other things and along with the Framework, seek to ensure that new development (caravan sites in particular) is well located in relation to an adequate road system, accesses are safe and convenient and minimise conflict between traffic.

Other Matters

10. I note the appellants comment regarding the granting of planning permission for the amenity block and the assertion that it is material to the case before me. This was, I understand, erected to support the certified caravan site use, one that did not have the benefit of express planning permission. The scale of that certified use, whilst transient, is substantially different to that which is

before me. I do not consider therefore that the granting of a planning permission for the aforementioned amenity block is a clear enough indication that the site or the access to it in this case, would be suitable for the scale of the proposed development before me.

11. I also note that the appellant has undertaken two traffic surveys to assess the use of the lane by vehicles. Whilst this has leant some assistance to understanding, the data set arises from only two days in December of 2016. Given the scale and timing of the surveys, they are more of a snap shot in time and not indicative of usage throughout the year. In addition, they can only estimate the likely effect and number of additional movements associated with a larger scale caravan site which appears to have been beyond the scope of the surveys in any event which have focussed on the existing situation.

Conclusion

12. For the above reasons, and having regard to all other matters raised, the appeal is dismissed.

John Morrison

INSPECTOR