
Appeal Decision

Site visit made on 7 November 2017

by John Dowsett MA DipURP DipUD MRTPI

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

Decision date: 18th December 2017

Appeal Ref: APP/V0728/W/17/3180736

Land at Priestcrofts Farm, Lingdale Road, Boosbeck, Saltburn, Cleveland, TS12 2DX

- 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 Ivan Thompson against the decision of Redcar & Cleveland Borough Council.
 - The application Ref: R/2017/0073/RT, dated 26 January 2017, was refused by notice dated 18 April 2017.
 - The development proposed is the siting of a static caravan and decking for use as a rest room and storage purposes associated with the approved livery use.
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Decision

1. The appeal is allowed and planning permission is granted for the siting of a static caravan and decking for use as a rest room and storage purposes associated with the livery use at land at Priestcrofts Farm, Lingdale Road, Boosbeck, Saltburn, Cleveland, TS12 2DX in accordance with the terms of the application, Ref: R/2017/0073/RT, dated 26 January 2017, subject to the following conditions:
 - 1) The use hereby permitted shall be for a limited period being the period of three years from the date of this decision. The caravan hereby permitted shall be removed and the land restored to its former condition on or before 1 January 2021 in accordance with a scheme of work that shall first have been submitted to, and approved in writing by, the local planning authority.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Block Plan 1:500; Elevation Caravan 1:50; Caravan Cross Section 1:50; Rear Elevation 1:50; and Caravan Elevation 1:50.

Procedural matters

2. The description of the development used by the Council on the decision notice more accurately sets out what comprises the development and I note that the appellant has adopted this on the appeal form. I have, therefore, also used this description for the purposes of the appeal.
3. The development has already been carried out and I was able to view it when I visited the site. Section 73A of the Town and Country Planning Act makes allowance for the submission of a planning application for development which

has been carried out before the date of the application, and Section 55 of the Act describes development as the carrying out of building operations or the making of material changes of use, as opposed to their retention or continuation. Consequently, I have omitted the word retrospective from the description of the development and I have considered the appeal on the basis that it is for the siting of a caravan and decking for use as a rest room and storage purposes associated with the livery stable use that exists on the site.

Main Issue

4. The main issue in this appeal is whether the proposed development is acceptable development in the countryside having regard to the provisions of the development plan.

Reasons

Planning Policy

5. Policy CS2 of the Redcar and Cleveland Core Strategy 2007 (Core Strategy) sets out a locational strategy for the Borough with the majority of new development being directed towards main settlements, with only limited development being intended elsewhere. In the countryside, development is to be limited to rural needs.
6. Policy DP1 of the Redcar and Cleveland Development Policies Development Plan Document 2007 (DPDPD) sets development limits for settlements and sets out criteria against which development beyond these limits will be assessed. The supporting text to Policy DP1 states that the purpose of development limits is to contain future development and to make a clear distinction between the urban area and the countryside.
7. Core Strategy Policy CS22 expects development to protect and enhance the Borough's landscape based on the character areas identified through the Landscape Character Assessment.
8. When read together Core Strategy Policy CS20 and Policies DP2 and DP3 of the DPDPD seek to ensure, among other matters, that new development is of a high standard of design that has regard to its context, and minimises any adverse impact on the overall character of the landscape of the area.
9. DPDPD Policy DP18 relates specifically to equestrian development and sets out a number of criteria against which proposals for livery stables and other commercial equestrian developments will be assessed. In particular, Policy DP18 expects such development to be well related to existing buildings and to be well sited within the landscape.
10. Although these policies pre-date the publication of the National Planning Policy Framework (the Framework), they are broadly consistent with the policies contained within it and can still be given significant weight.

Whether the proposed development is acceptable development in the countryside

11. It is common ground that the appeal site is within an area that would be classified as countryside under the terms of DPDPD Policy DP1. Core Strategy Policy CS2 is silent on what may constitute rural needs. Policy DP1 restricts development beyond the defined development limits to a number of specific types which include, among others, recreational or tourism proposals requiring

a countryside location and other development requiring a countryside location due to technical or operational reasons.

12. In the planning officer's report the Council suggests that the caravan is equipped for residential use and it has at least in part determined the application on that basis, concluding that the development does not fall within any of the categories set out in Policy DP1. During my site visit I was able to inspect the caravan internally. Whilst the caravan is an unmodified touring caravan and has built in living room and bedroom furniture, there was no indication that it was being used for residential purposes. An area of timber decking has been erected outside the caravan that contained a patio table and chairs at the time of my visit. The appellant states that this was primarily erected to facilitate access to the caravan which is located on sloping ground.
13. Although there were a small number of personal items within the caravan, there were none of the trappings that would be expected if the caravan was being used for residential purposes even on an occasional basis. I also saw that the caravan is not connected to any utilities. From what I saw, I am satisfied that the caravan is not being used for residential purposes and is being used for the purposes specified in the application.
14. Within the large field where the caravan is located there is a building used as a stables and a number of other small timber buildings that, according to the appellant's statement, are used for housing chickens and pigs, although I did not see any such during the course of my visit. I did see that there were a horses housed within the stable building and a number of other horses were grazing in a different part of the field. I also observed that there were a number of jumps set up on part of the land. On the basis of the evidence before me, and from what I saw on my site visit, I am satisfied that the wider site is being used for the recreational keeping and riding of horses.
15. This would meet the criteria set out in DPDPD Policy DC1 as being a recreational use requiring a countryside location. As the caravan is being used in connection with this recreational use, I therefore see no fundamental conflict with either Policy DC1 or Core Strategy Policy CS2.
16. The appeal site is located on sloping ground that drops to the north towards the wooded valley of the Boos Beck and then, beyond the watercourse, rises again toward Skelton. The village of Boosbeck lies just to the west. The surrounding countryside comprises large fields in arable and pasture use and contains a scattering of buildings including farms and, closest to the appeal site, a house and buildings used as a kennels. Field boundaries are a mix of hedgerows and post and wire fencing. The lane running past the appeal site leading to Priestcrofts Farm is bounded to each side by a largely continuous hedgerow and immediately to the south of the appeal site a Public Right of Way footpath leading to Boosbeck runs between two hedgerows.
17. From the entrance to the site from the lane the caravan is largely concealed by the larger stable building. From the west, whilst it may be seen from the former Vicarage in Boosbeck village, due to its location close to the stable building, it is seen in context with this larger building as a backdrop.
18. The hedgerows adjoining the Public Right of Way provide visual screening to the south, and from the footpath only small glimpses of caravan can be achieved despite its proximity to the footpath. Although the land generally

slopes away from the appeal site, just to the north of the caravan, the local topography is such that the land rises before falling away again. This landform together with the hedgerow boundary to the lane leading to Priestcrofts Farm results in the caravan only being visible in very short range views from most publically accessible viewpoints and I observed that its effect on the landscape is highly localised.

19. This, in combination with the modest size of the caravan and taking into account the attached decking, results in only a very limited change to the character of the landscape. I note that the appeal site is not located within an area that is designated as a sensitive landscape within the Redcar and Cleveland Landscape Character SPD 2010, nor is it covered by any statutory landscape designation. There is no evidence before me that the development has resulted in the loss of any valued landscape features.
20. In this context, I do not find any conflict with Core Strategy Policies CS20 and CS22, or DPDPD Policies DP2, DP3 or DP18. I therefore conclude that the proposed development is acceptable development in the countryside having regard to the provisions of the development plan.

Conditions

21. I have had regard to the conditions that have been suggested by the Council. In order to provide certainty regarding what has been granted planning permission I have imposed a condition specifying the approved drawings.
22. The Council have also suggested that planning permission should only be given for a temporary period of three years on the basis that the nature of the development is such that it would not be approved on a permanent basis in this location. The Planning Practice Guidance states that where the proposed development complies with the development plan, a condition limiting use to a temporary period will rarely pass the test of necessity. However, in this instance, as the development comprises a caravan, which is a temporary structure that is readily removable from the site and the fabric of which is likely to deteriorate over time, I consider that in these particular circumstances it is necessary and reasonable to make the planning permission time limited.

Conclusion

23. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be allowed.

John Dowsett

INSPECTOR