



Appeal Decision

Site visit made on 18 June 2019

by M Seaton DipTP MRTPI

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

Decision date: 19 August 2019

Appeal Ref: APP/D2510/W/19/3225428

Hardys Corner, Sea Lane, Huttoft, Alford, LN13 9RR

- 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 W Adams against the decision of East Lindsey District Council.
 - The application Ref N/089/00063/19, dated 11 January 2019, was refused by notice dated 15 March 2019.
 - The development proposed is the change of use of land for the siting of 2 no. additional static caravans and 1 no. static caravan for warden's accommodation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed use is appropriate having regard to its location; and,
 - whether the proposed development would safeguard the living conditions of neighbouring occupiers, having regard to noise and disturbance from any additional traffic generation.

Reasons

Location

3. The appeal site occupies a predominantly rural location and is set within a cluster of buildings and dwellings close to the junction between Sea Lane, Roman Bank and the access road to a coastal car park at Huttoft Beach. The existing development along both Sea Lane and Roman Bank includes other caravan and mobile home sites as well as a number of dwellings.
4. The site itself appeared comparatively overgrown albeit that the existing concrete hard standings set out for the placement of static caravans related to a previous planning permission for the development of the site were visible. The Sea Lane boundary of the appeal site is largely defined by a low timber fence, whilst a significant mature hedgerow is in situ along part of the boundary close to the road junction and along the Roman Bank frontage.
5. In determining the planning application, the Council has referred to Policies SP19 and SP22 of the East Lindsey Local Plan: Core Strategy, 2018 (the Core Strategy). These policies specifically address Holiday Accommodation and Transport and Accessibility respectively.

6. The Council has drawn my attention to policy SP19 which sets out support for new and extensions to caravans, log cabins, chalets, camping and touring site development where sites adjoin or are in a town, large or medium village. This support is conditional on the demonstration of a number of other factors including that they are connected to the existing settlement by road and footpath. However, especially given that the site is clearly in open countryside, I am also mindful that the policy continues by highlighting support in principle for caravans, log cabins, chalets, camping and touring sites in the open countryside, where such sites do not cause unacceptable harm to the character of the countryside, the wider landscape, or protected or important habitats or species.
7. In this instance the appeal site is indicated to be approximately 2.5 km from the edge of Sutton on Sea and 3 km from the village of Huttoft. Whilst the Council has at least in part assessed the proposal on the basis of the criteria set for development adjoining or in towns and villages, the context of the appeal site and the wording of the policy makes it more pertinent to assess the proposal on the basis of its location within the open countryside – and therefore this limb of policy SP19 is most relevant.
8. In this respect, I have had regard to the reasoned justification to the Core Strategy policy which clearly highlights that the Council does not wish to prevent existing sites which are already located away from settlements from expanding. However, whilst I have carefully considered the reference to the protection of the countryside being highlighted as a priority both locally and nationally, the proposed change of use of the land and extension of the existing static caravan facilities would represent the development of an area of previously developed land associated with the existing implemented caravan pitches rather than an extension into open countryside. Furthermore, I also do not consider that the proposed development would have an adverse impact on the wider landscape and there is no evidence adduced to suggest that there would be any harm to protected or important habitats or species.
9. I have also noted the Council's reference to the need to demonstrate that new sites are directly related to an existing tourism facility, and how users of the site will access the nearest town or large/medium settlement with pedestrians and vehicles being segregated or accessible by public transport. However, although the Council has referred to the site as not being established in the absence of an official Caravan Licence, and also that it has been vacant in any event since 2016, I have not been directed to anywhere in the policy or reasoned justification requiring the need for an existing site to be established on the basis of these criteria. As such, I am satisfied that the neither the wording of the policy nor the reasoned justification place any such similar requirements related to tourism facilities or proximity to existing towns or settlements on the expansion of existing sites. I do not therefore find the proposal to conflict with Policy SP19 of the Core Strategy.
10. Turning to transport and accessibility, Policy SP22 seeks to support accessibility and reduce isolation in the district by supporting development in or adjoining towns, large and medium villages and where it is accessible to key facilities, and where it is shown to link with the existing road and public transport systems and gives priority to pedestrian and cycle movements. Whilst I accept that the planning permission for use of part of the appeal site for static caravans has already been implemented and is therefore extant, Policy SP22

does not make any allowance to disregard its criteria for the expansion of existing development. In this respect, the proposal would not be accessible to key facilities given its isolated location away from towns or large/medium villages. Whilst the appeal site would link to the existing road network, no evidence of access to public transport or priority given to pedestrian and cycle movements has been adduced, with the local highway network in the vicinity of the appeal site not particularly conducive to pedestrian or cycle movements due to the absence of any designated environment for such movements.

11. The appellant has referred to the absence of any objection to the proposed development on highway grounds from Lincolnshire County Council acting as the Highway Authority as support for the proposed development. However, whilst I have had regard to this consultation responses, it is unclear from their brevity whether they have been premised on spatial considerations in addition to those of highway safety.
12. For the reasons already set out, whilst I have not found conflict with Policy SP19 of the Core Strategy regarding the siting of holiday accommodation, the proposed expansion of the static caravan provision on the appeal site would not accord with Policy SP22 of the Core Strategy.

Living conditions

13. The Council has raised concerns over the relationship between the proposed development and neighbouring residential uses. In particular, the intensification of the use of the caravan site through the extension of the site to provide 3 additional static caravan plots has been cited as a cause for concern with regards to the prospect of noise and disturbance from further traffic movements.
14. I have carefully considered the Council's contention in this respect and whilst the additional units would represent a significant increase in percentage terms over and above the existing level of provision, in reality the increase would be relatively minor with the addition of 2no. residential caravans and 1no. warden's accommodation.
15. Whilst there may be some differences in the occupation of any adjoining permanent residential accommodation and the holiday accommodation, I do not accept that the occupation of the proposed holiday accommodation would necessarily result in the adverse impact on living conditions which has been claimed. Comings and goings from vehicles would be likely to have no more than a momentary impact and would not necessarily differ in nature from those of existing residential accommodation. I also note that part of the proposed provision would include warden's accommodation which would undoubtedly allow the application of controls over the nature of occupation of the other proposed (and indeed existing) holiday units.
16. I am not therefore persuaded that the proposed additional static caravan development would result in the contended adverse impact on the living conditions of neighbouring residential occupiers. I do not therefore find conflict with Policy SP10 of the Core Strategy, which seeks to ensure that the design of new development does not unacceptably harm any nearby residential amenity, or with paragraph 180 of the Framework, which seeks to ensure that new development avoids noise giving rise to significant adverse impacts on health and quality of life.

Other Matters

17. I have noted the support for the proposal from Huttoft Parish Council, and the absence of objections from Lincolnshire County Council acting as Lead Local Flood Authority, from the Council's own internal consultees, and from existing residents in the vicinity. However, these would not be factors which would weigh with any significance in support of the proposals in light of the assessment of the planning merits of the proposed development.

Conclusion

18. Whilst I have concluded that the proposed development would not conflict with the Development Plan with regards the approach to holiday accommodation or the impact on the living conditions of neighbouring occupiers, I have found the proposal to not accord with the Core Strategy regarding its location, spatial considerations and the accessibility of the appeal site. Whilst I have noted the presence of other similarly located caravan and holiday sites in the locality, along with the proximity to Huttoft Beach, I do not regard these to present a reasonable precedent from which to justify additional development which does not accord with the accessibility objectives of the Development Plan.
19. For the above reasons, the appeal is dismissed.

Martin Seaton

INSPECTOR