



Appeal Decision

Site visit made on 19 May 2020

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 9 June 2020

Appeal Ref: APP/G2713/W/20/3246885

OS Field 2558, South Moor Lane, Sowerby, North Yorkshire YO7 3AG

- 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 John Knowlson against the decision of Hambleton District Council.
 - The application Ref 19/02718/FUL, dated 10 October 2019, was refused by notice dated 23 December 2019.
 - The development proposed is change of use of land from agriculture to the siting of 10 static caravans.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the appeal site is an appropriate location for the proposed development; and
 - The effect of the proposed development on the character and appearance of the area.

Reasons

Location

3. The appeal site is a small field enclosure in a quiet, rural setting surrounded by expansive agricultural fields. The settlements of Sowerby and, in turn, Thirsk are located to the north of the appeal site, on the far side of the A168. The road between the two is typically rural in its character, with narrow grass verges and roadside hedgerows along either side. An existing caravan site is located at short distance to the north of the site, beyond which the elevated A168 assumes a more dominant presence in the countryside and marks a point of transition at the entrance to Sowerby.
4. Despite its relative age, the Hambleton Local Development Framework Core Strategy (CS) broadly aligns with the National Planning Policy Framework's (the Framework) aims of seeking to support a prosperous rural economy based on sustainable patterns of growth and forms of rural tourism which respect the character of the countryside. Thus, CS policies CP2 and DP3 emphasise the need to minimise travel allied to convenient access via footways and cycle paths, whilst CS policies CP15 and DP25 seek to support the social and economic needs to rural communities and rural employment. They seek to do

so, however, in the context of consistency with the CS's approach to encouraging sustainable patterns of development.

5. It may well be, as the appellant states, that the site's location is desirable from an operational or marketing viewpoint so as to be able to, in the appellant's words, 'get away from it all' and to find peace and quiet in the countryside. Even if I were to accept such an approach, it does not follow that such sites have to be in locations such as the appeal site, which lies some distance away from the nearest settlements of Sowerby to the north or Bagby to the east. Nor does it follow that sites closer to, or better related to, settlements cannot provide a similar ability to 'get away from it all'.
6. The appeal site lies some distance from Sowerby and Thirsk. Whilst the road¹ that links the site with those settlements is reasonably flat, it is not particularly wide, the grass verges are narrow and uneven and the roadside hedgerows are dense with minimal field entrances within which to seek refuge. Moreover, it is unlit and subject to the national speed limit and thus it would not, in my judgement, provide a pleasant or safe route to access local services and facilities.
7. The site might, as suggested by the appellant, be well-located for cycle touring, but the surrounding road network would not in my judgement be particularly conducive to access to local services, facilities and attractions by pedestrians, or by more casual cyclists. My attention has been drawn by the appellant to the local footpath network² and, whilst they might provide pleasant rural walking routes, they provide, at best, somewhat circuitous pedestrian access to Sowerby and Thirsk. Neither they, nor South Moor Lane, would provide practical or convenient access to the nearest settlements by foot and access to the appeal site would as a consequence be heavily reliant upon access by motor vehicle.
8. I have noted the appellant's submission regarding the economic contribution that holiday parks and campsites make to the UK economy. The Council do not dispute this. However, I share the Council's concern that no specific case has been made with respect to the appeal proposal's contribution to the local economy. A ten-unit static caravan site may provide some contribution to the local economy, but this has not been quantified in any way nor has a business case been provided to that end. Similarly, whilst the proposal's countryside location may be desirable, it has not been demonstrated that it could not be located in, or closer to, existing settlements. Due to the limited scale of the proposal, any positive economic benefits are also likely to be correspondingly limited. Thus, whilst attracting some weight in support of the proposal, I am unable to give this anything more than limited weight.
9. Thus, for the reasons I have set out, the proposed development would fail to accord with CS policies CP1, CP2, DP3, CP15 or DP25. Together, these policies, whilst seeking to support rural employment, rural tourism and a prosperous rural economy, aim to do so in a manner which supports a sustainable pattern of development not wholly reliant on access by car.

¹ South Moor Lane

² Annex C to appellant's Statement of Case

Character and appearance

10. Much is made by the appellant of the site's secluded nature and perimeter planting screen. Although the presence of conifers are somewhat atypical of the prevailing tree and hedgerow species, the mix of planting around the site is such that it does not noticeably stand out as an arbitrary or artificial screening device. It is also fair to say that views of the site's interior are heavily screened by this perimeter planting, which is a mix of deciduous trees and conifers. The interior of the site, which is flat and largely open other than a handful of individual trees, is really only visible from the existing gated entrance to the site from the private lane which leads from South Moor Lane.
11. This is not to say, however, that the interior of the site is completely screened from views from either road frontage, or in longer views through and above existing roadside hedges. Despite the verdant nature of the site's perimeter, static caravans, and the paraphernalia that would inevitably go with them, would be alien features in this rural setting. Their wider visibility within the landscape would be mitigated to an extent by the site's perimeter planting but their presence would nevertheless be noticeable through the patchy lower level roadside hedge below the more abundant tree canopies and foliage. Indeed, despite the presence of conifers, I saw that much of the roadside hedge was comprised of deciduous species and as such, the patchy nature of the hedge would allow glimpsed views at most times of the year, becoming more visible at certain times of the year when without leaves. As a consequence, their incongruous form, colour and appearance would be at odds with the rural setting of the site and their stark and alien appearance would be visible through the foliage and branches of the lower level perimeter planting.
12. For these reasons, I am not persuaded that the static caravans would be sufficiently screened so as to avoid harm to the rural character and appearance of the surrounding area. I have noted the presence of a caravan site closer to the A168 and the edge of Sowerby. However, the two are well separated and there is no sense that the latter influences or shapes the character of the land at or around the appeal site. The presence of static caravans in the manner proposed in this instance would, notwithstanding the nature of the site's perimeter planting, result in a stark form of development alien to the pleasant rural setting of the site and its surroundings. The proposal is therefore contrary to CS policies CP1 or CP15 which together seek to ensure that proposals protect and enhance, amongst other factors, the natural environment.

Other Matters

13. Inevitably, people taking holidays on such sites may wish to make use of the outdoor space around the caravans. This may be in the form of ball games or alfresco dining, both of which have potential to generate modest levels of activity and consequential noise. However, neither main party has submitted substantive evidence to support their respective cases regarding potential levels of noise generation and possible impacts upon nearby receptors. Whilst noting an Inspector's conclusions in respect of a proposal for static caravans elsewhere near Thirsk³, I am not persuaded that the proposal would generate levels of noise that would cause material harm to occupiers of nearby

³ APP/G2713/A/08/2064528 - "The Nurseries" Garden Centre, Stockton Road, South Kilvington, Thirsk YO7 2NW

properties, or that such matters could not be adequately and appropriately dealt with by way of planning condition to secure a site management plan.

14. Similarly, although I have noted the Council's concern regarding drainage arrangements, I see no reason why, had I been minded to conclude favourably in respect of the main issues, that such a matter could not have been resolved by way of an appropriate planning condition. However, such an approach regarding living conditions and drainage would not be sufficient to lead me to allow the appeal given the harm I have identified in terms of the proposal's location and its effect upon character and appearance.
15. The proposal for 10 static caravans is of a relatively modest scale whilst the units themselves – two bedroomed – would not be particularly large. The Council are concerned that the proposal would result in an increase in private traffic. There may well be an increase, but the quantum of development is modest and I have not been presented with any evidence to persuade me that the local highway network would not be able to cope.

Conclusion

16. Although I have not found harm in respect of the effect of the proposal on living conditions, drainage or highways matters, these matters are not sufficient to outweigh the harm I have identified in respect of the main issues. Thus, for the reasons I have set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR