



Appeal Decision

Site visit made on 9 November 2020

by Alison Partington BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th November 2020

Appeal Ref: APP/P1045/W/20/3253522

Jinglers Coach House, Unnamed Section of A517 From Brunswood Lane To Gorse Lane, Hulland Ward, DE6 3EN

- 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 Mrs Denise Ingre (Grass & Sky T/A Ashbourne Camping and Caravanning Club Site) against the decision of Derbyshire Dales District Council.
 - The application Ref 19/01409/FUL, dated 19 December 2019, was refused by notice dated 2 March 2020.
 - The development proposed is described as the "seasonal siting of a touring caravan or motorhome for the use of our Holiday Site Assistant. Our season runs from 1st April or Easter (if earlier) until the first week of November. Unit to be removed at the end of the season".
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Decision

1. The appeal is dismissed

Preliminary Matters

2. Although not present at the time of my visit which took place after the season had finished, it has been stated that the appeal site has been used for the seasonal siting of a touring caravan for the site assistant in previous seasons. I have determined the appeal on this basis.

Main Issue

3. The main issue in the appeal is whether having regard to the development plan and the *National Planning Policy Framework* (the Framework) which seek to avoid isolated new homes in the countryside, there is an essential need for the development to accommodate a rural worker.

Reasons

4. The appeal site is located in the open countryside and is adjacent to, but screened by vegetation from, the caravan and camping site operated by the appellant and her partner. The caravan and camping site is a large site which now has around 75 pitches and associated facilities. The appellant lives in a dwelling on land surrounding the site. The proposal seeks to enable the seasonal siting of a touring caravan or motorhome to be used by a site assistant during the season which runs from Easter until early November. This is sought for a period of 3 years.
5. The *Derbyshire Dales Local Plan (adopted December 2017)* (DDLDP) seeks to focus the majority of new development within or adjacent to existing communities having regard to the defined settlement hierarchy. DDLP Policy S4

- sets out the forms of development that may be acceptable in the countryside. Part (i) specifically outlines when new residential development may be acceptable. This includes housing to meet the essential requirements of agriculture, forestry, or other rural based enterprises in accordance with policy HC13.
6. Whilst the proposal is not for an actual dwelling it is to enable the siting of a caravan or motorhome to provide residential accommodation for a rural worker for a significant part of the year. As such, I consider that Policy HC13 is still of relevance in determining the appeal. This policy sets out a variety of criteria that need to be satisfied for such accommodation to be acceptable. These include that there is a clearly established functional need for a fulltime worker and that this cannot be met by another existing building either on the site or in the locality.
 7. These policies accord with paragraph 79 of the Framework which indicates that an essential need for a rural worker to live permanently at or near their place of work in the countryside is one of the exceptions for allowing the development of isolated new homes in the countryside.
 8. The caravan and camping site is clearly a large site. Given this, the cleaning, management and maintenance associated with the size is considerable and is required 7 days a week. However, the tasks outlined are by and large ones that would take place during the working day. Nevertheless, the need to open the gates around 7am and lock them at 11pm, requires staff availability over a long period of each day, 7 days a week. From the evidence before me I am satisfied that to operate the facility adequately there is a requirement for more than 1 full time person to carry out the work.
 9. The personal circumstances of the appellant mean that she is now clearly restricted in what tasks she is able to perform on the site. As her partner also has to provide care for her, this too restricts to some degree the hours he can work. Given this, and the on-going health issues she has faced, in my view, having an assistant to help run the site is essential at the present time.
 10. The appellant has highlighted that action can sometimes be needed during the night. However, the examples of such activity given by the appellant appear to be isolated events that occur on an infrequent rather than a daily or even weekly basis. As such, I do not consider that they make it a necessity for the assistant to have to live on the site to help provide night-time cover as, given their infrequency, such emergencies could be handled by the appellant and/or her partner.
 11. Overall, I am satisfied that the evidence indicates that an assistant is required to help with work during the daytime/evening for what would otherwise be long working days, 7 days a week throughout the season for the owners.
 12. I note that in recent seasons they have utilised an assistant trained and provided by the Camping and Caravanning Club, and that a condition of employing such a person is that accommodation is provided on the site. From my observations, there are no suitable buildings on the camping and caravan site itself that can be used for this purpose. Whilst the appeal site provides a more secluded / private location than any of the pitches on the actual caravan and camping site, in my opinion, this is a desirable rather than an essential criterion.

13. Furthermore, whilst it may be part of the conditions of employing a site assistant from the Camping and Caravanning Club that they are provided with accommodation on the site, there is no evidence that sites that are part of this franchise have to employ assistants that are provided by them. Given the site's location in relation to the settlements such as Hullands Ward and Ashbourne, there may well be local people who would be able to fulfil the role of the site assistant and who therefore would not need accommodation on the site. There is no evidence to show that any attempt has been made to recruit people locally to fill this role, or that if it has been undertaken that it has been unsuccessful. I see no reason why, if provided with the necessary training by the owners, a local person would not be able to adequately fulfil the role.
14. Consequently, I consider that an essential need for the development to accommodate a rural worker has not been established. Accordingly, the proposal would be contrary to Policies S4 and HC13 of the DDLP and paragraph 79 of the Framework outlined above.

Other Matters

15. It is not disputed that the business is a profitable one, and that as a popular site, attracting visitors from all over the country, it makes a valuable contribution to the local economy. Sustainable rural tourism and leisure developments are supported by both the development plan and the Framework.
16. In addition, the proposal would not be detrimental to the character and appearance of the area as it is well screened from the road, as well as being adjacent to the existing caravan site. However, an absence of harm in this regard is a neutral factor.
17. The appellant has argued that living on the site would prevent the need for the assistant to commute to and from the site each day. However, this has to be balanced against the fact that the assistant would have to travel from the site for activities such as shopping, leisure activities and visiting family and friends, which could involve longer trips than for someone living in the locality.
18. I note that the appellant is willing to accept a condition to restrict the occupancy to a person involved in the management of the site rather than rural workers in general, and that permission is only sought for a period of 3 years. However, these are not sufficient to overcome the fact that an essential need has not been demonstrated.

Conclusion

19. Whilst I have had regard to the policy support in both the development plan and the Framework for rural tourism this would not outweigh the significant harm I consider the development would cause as a result of its isolated location in the countryside. Thus, for the reasons set out above, I conclude the appeal should be dismissed.

Alison Partington

INSPECTOR