



Appeal Decision

Site visit made on 9 August 2021

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th August 2021

Appeal Ref: APP/D2320/W/21/3274187

Royal Umpire Caravan Park, Southport Road, Ulnes Walton, PR26 9JB

- 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 G and E Harrison Ltd against the decision of Chorley Borough Council.
 - The application Ref 20/00868/FULMAJ, dated 5 August 2020, was refused by notice dated 4 November 2020.
 - The development proposed is the reconfiguration of existing caravan park from touring pitches to provide static caravans and associated works.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In July 2021, after the submission of the appeal, a revised *National Planning Policy Framework* (the Framework) was published. As a result, I sought the views of both main parties regarding this. I have determined the appeal on the basis of national and local policies as adopted at the present time.

Main Issues

3. The main issues in the appeal are:
 - Whether the proposal would be inappropriate development in the Green Belt for the purposes of the Framework having regard to the effect of the proposal on the openness of the Green Belt and the purposes of including land within it; and;
 - If the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether inappropriate development, openness and purposes

4. The appeal site forms part of an established touring caravan park. The appellant's evidence states that it provides 173 touring caravan pitches. It is proposed to change these to 114 static caravan pitches to be used for holiday purposes. Each caravan would have a parking space, terrace and garden area. They would be arranged in rows along the internal roads and around the boundaries of the site in a similar way to the touring caravan pitches at

- present. One of the toilet block buildings would be removed as part of the proposal.
5. Paragraphs 149 and 150 of the Framework set out the forms of development that are not inappropriate in the Green Belt. Paragraph 149 relates to the construction of new buildings. As in planning terms a caravan is a structure not a building the proposal does not stand to be considered under any of the criteria in this paragraph.
 6. Paragraph 150 b) and e) states that engineering works and material changes of use are not necessarily inappropriate in the Green Belt provided they preserve its openness and the purposes of including land within it. The Council have indicated that they consider that the proposed reconfiguration of the pitches would represent engineering operations and that the change from touring to static caravans would be a material change of use. I agree.
 7. Openness is an essential characteristic of the Green Belt. It can be considered as the absence of buildings or development and is not just a visual consideration. The proposal would reduce the number of pitches from 173 to 114. However, although there were a few very large touring caravans on the site when I visited, the static caravans would, in general, be larger than most touring caravans.
 8. Moreover, they would be present on the site on a permanent basis whereas touring caravans are not. The appellant has highlighted that of the 173 pitches on the site at present, 117 of are allowed to be used 12 months of the year. Nonetheless, a S106 agreement prevents any person, or any individual caravan whether on the same pitch or not, being allowed on the site for more than 35 weeks of the year. Given these restrictions, it is highly unlikely that all the seasonal pitches are occupied throughout the year. In addition, the other 56 pitches cannot be used all year round and so are empty for several months of the year.
 9. Thus, whilst there may be some caravans on the site throughout the year, in the winter months, I would expect that the number of caravans will be significantly reduced, and the site will have a much more open character than in the summer. Moreover, I observed at my site visit, that even in what is the height of the holiday season, there were some empty pitches on the site which created pockets with a more open character. By contrast, the proposed change to static caravans would mean that all the pitches would be occupied by a caravan all the time, whether or not they are being used and it is likely that many will be larger than the caravans that currently use the site. As such, the intensity of development on the site would be greater, and the openness of the site would be significantly reduced.
 10. The appellant has suggested that the reduction in the number of pitches would reduce the number of cars parked on the site which would be beneficial to openness. However, this has to be balanced with occupancy levels which they anticipate would increase as a result of the proposed change to static caravans. As such, I am not persuaded that this would result in any significant difference in terms of impact on openness between the current situation and the proposed scheme.
 11. I accept that visibility of the site from the public realm is limited and, as such, the visual impact on the Green Belt would be negligible. However, a lack of

visibility does not in itself mean there is no loss of openness. In this case, despite the reduction in the number of pitches, spatially the greater mass of the static caravans and their permanence, means the proposal would reduce the openness of the Green Belt.

12. The parties agree that the proposal would not be contrary to any of the purposes of including land in the Green Belt. This is a conclusion with which I agree. Nonetheless the proposed development would not preserve the openness of the Green Belt, contrary to paragraph 150. Given this, I conclude the proposal would be inappropriate development in the Green Belt, which according to paragraph 147 of the Framework is, by definition, harmful to it. In addition, there would be a limited degree of harm arising from the loss of openness. I afford the Green Belt harm significant weight.

Other Considerations

13. Both local and national policies give support to the sustainable growth and expansion of rural businesses and to sustainable rural tourism and leisure developments. The appellant's evidence indicates that in recent years the UK caravan sector has seen strong growth as people take more domestic holidays, but that it is the static caravan market rather than touring pitches that has seen the greatest growth. The proposal would support the growth of this existing business and help to secure the employment opportunities it provides. Moreover, direct and indirect spending would result from the construction phase, albeit this would be for a temporary period, as well as by those staying at the park. This clearly would benefit the local economy.
14. It is stated that there is very little in the way of alternative caravan provision in Chorley and so the park has a vital role in serving the area and the local economy. Be that as it may, third parties have commented that there are a number of caravan parks in the wider area even if these are not in the same local authority area. Furthermore, whilst the park no doubt makes a valuable contribution to the local economy, I am not persuaded that the contribution is of the scale that it is vital to it. Nonetheless, the proposal would bring some economic benefits to the area and I give these moderate weight.
15. The appellant has stated that in recent years the park has experienced problems with crime and anti-social behaviour, that at times have resulted in the police needing to be called. As a result, occupancy rates at the park have been falling. If this were to continue it is suggested that the future of the park would be uncertain which would be detrimental to the local economy. The site would continue to provide tourist accommodation, but it is suggested that the change from touring to static caravans would address the problems it has had.
16. However, in my mind, problems with crime and anti-social behaviour relate to how the park is managed rather than the type of caravan on it and the appellant has provided no evidence to support how the change in type of caravan would address these issues. Overall, I am not persuaded that simply changing to static caravans would address the problems of anti-social behaviour and so would not necessarily increase occupancy levels. As such, I give this purported benefit no weight.
17. The additional planting proposed as part of the landscaping scheme would bring some biodiversity benefits. Due to the scale of new planting proposed I give this benefit modest weight. However, the fact that the proposal is a

significant reduction from a previous application, which also utilised the camping field, is a neutral matter as this other scheme was refused and so does not represent a fall back position.

18. The proposal would provide a package of measures to improve walking and cycling provision in the locality and to improve 4 bus stops in the area. The Highway Authority has stated these are essential to ensure safe and suitable access for all users. Given this I give these benefits only limited weight.
19. I note that Officers of the Council recommended the application for approval. However, this recommendation does not represent the formal decision of the Council. Members of the Committee responsible for determining the application are not bound by the recommendations of their Officers and the fact that their decision was contrary to the professional opinion of their Officers is not a matter that weighs in favour of the proposal.

Other Matters

20. The caravan park is within the setting of a Grade II Listed Building – Gradwell’s Farm. Parts of the wider caravan park that would not be altered by the proposal lie between the appeal site and the Listed Building. This, and the belt of mature trees that prevent any intervisibility between the site and the Listed Building, means I am satisfied the proposal would not harm its setting.

Planning Balance and Conclusion

21. The proposal would be inappropriate development in the Green Belt which is harmful by definition. In addition, there is a degree of harm arising from the loss of openness. In accordance with paragraph 148 of the Framework, I attach substantial weight to the harm to the Green Belt.
22. Whilst I have given consideration to the benefits cited in the scheme’s favour, I find that neither individually, nor cumulatively, do they outweigh the harm it would cause to the Green belt. Consequently, the very special circumstances necessary to justify the development do not exist. As a result, the proposal would be contrary to the Framework.
23. The reason for refusal does not refer to any policies within the development plan, only to the Framework. In addition, the Officer’s report makes no reference to any relevant policies relating to Green Belt. Paragraph 11 d)i of the Framework indicates that where there are no relevant development plan policies permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed. Footnote 7 indicates that land designated as Green Belt is one such protected area. As I have determined that the proposal would be inappropriate development within the Green Belt and no very special circumstances exist, the application of policies in the Framework provides a clear reason for refusing the development proposed.
24. Therefore, I conclude the appeal should be dismissed.

Alison Partington

INSPECTOR