



Appeal Decision

Site visit made on 5 April 2022

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 April 2022

Appeal Ref: APP/A2335/W/21/3288450

Area 5, Castle View Caravan Park, Borwick Road, Capernwray, Carnforth, Lancashire LA6 1FE

- 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 McCarthy of Castle View Caravan Park against the decision of Lancaster City Council.
 - The application Ref 20/01201/FUL, dated 27 October 2020, was refused by notice dated 28 October 2021.
 - The development proposed is sales caravan area, 3 static caravans, wetland/amenity areas.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the appeal site would be an appropriate location for the proposed development with regard to the development strategy for the area; and
 - the effect of the proposed development on the character and appearance of the area.

Reasons

Appropriate Location

3. Castle View Caravan Park is located off Borwick Road near to the small settlement of Capernwray and within the open countryside as defined in the Local Plan for Lancaster District 2011-2031 Part One: Strategic Policies and Land Allocations DPD, adopted 2020 (the SPLA DPD). The caravan park was previously operated as two sites under different ownerships and the pitches are in two distinct areas separated by fields. The appeal site comprises one of these fields adjacent to the internal road that connects the two parts of the caravan park.
4. Policy EN3 of the SPLA DPD states that development proposals located within the open countryside should have due regard to all relevant policies contained within the Local Plan, in particular policies within the Development Management DPD¹ relating to development in the rural areas. Policy DM47 of

¹ Local Plan for Lancaster District 2011-2031 Part Two: Review of the Development Management DPD, adopted 2020

the Development Management DPD is generally supportive of proposals for economic development within rural areas provided that certain criteria are met. This includes demonstrating that they improve the sustainability of rural communities by bringing local economic, environmental and community benefits and being in sustainable locations. Policy DM60 of the Development Management DPD seeks to ensure that development proposals, particularly those that will generate significant footfall and motorised vehicle journeys, are located where sustainable travel patterns can be achieved.

5. The proposal would involve the creation of an area for the display of six caravans for sale or rent in addition to three static caravan pitches. It would serve as the sales area for the appellant's four sites in North Lancashire. The appellant identifies that Castle View Caravan Park is the largest site, with an on-site office and information centre, making it central to the caravan park operations. The intention of the sales area would be for existing occupiers wishing to upgrade or renew their caravans. It would not be intended for non-residents other than those expressing an interest in the purchase of a caravan to become a resident of the site.
6. The Transport Statement submitted in support of the application identifies that only a limited number of additional trips would be generated by the proposed development, although this only considered the three additional static caravans. In addition, I note that the Highway Authority has not objected to the proposed development. However, whilst it may not have an unacceptable impact on highway safety, the site is not well served by public transport, with the nearest bus stop, which offers only a very limited service, being around 500m away along an unlit road with no pavement.
7. If the caravan sales were to be restricted to existing occupiers of the site, then the site could be classed as a sustainable location given that such residents are already users of the site. However, I share the concerns of the Inspector who considered a similar application² at the caravan park regarding whether a condition to control sales in this manner would be enforceable. Without such a control, the sales area could be visited by non-residents and such trips would likely be by private car given the lack of public transport and the nature of the roads in the area.
8. A number of caravan sites with sales areas have been drawn to my attention. However, I do not have background details of these and so I cannot be sure that their circumstances are the same or very similar to the proposed development for me to draw any direct comparison.
9. I appreciate that the location of the site, close to the central office and reception building and the main access, would be accessible from within the caravan park. In addition, its relatively central position may help curtail potential new visitors from driving around the whole of the caravan park. Whilst it may be a reasonable location within the caravan park, Policy DM47 of the Development Management DPD only supports proposals on greenfield sites in the open countryside where it is clearly demonstrated through a robust assessment that no alternative suitable locations exist within local settlement areas and that the benefits of the proposal outweigh the impacts on local amenity. From the information before me, such an assessment has not been undertaken.

² Application reference 18/01342/CU

10. There is no material change in circumstances that would justify taking a different conclusion to the previous Inspector in terms of not being able to limit sales to existing residents. As such, the site would not represent a sustainable location for a general sales activity and so would not be an appropriate location for the proposed development, having regard to the development strategy for the area.
11. Consequently, the proposed development would conflict with Policies DM47 and DM60 of the Development Management DPD which have been summarised above. It would also conflict with sections 6 and 9 of the National Planning Policy Framework (the Framework), which, although supportive of the rural economy including tourism and leisure developments, still seeks to ensure that development in rural areas is sustainable and that development is located where the need to travel is limited and where a genuine choice of transport modes is offered.

Character and Appearance

12. The proposed development, through the operations required to create the sales area and site for the static caravans, and the use itself, would alter the appearance of the site. It would change from an open area of land to one with development, including quite extensively engineered areas, although the existing fairly dense conifer tree belt and boundary hedge together with the proposed landscaping would soften its appearance to an extent.
13. The site forms an open area between the two parts of the caravan park. However, from many viewpoints within the caravan park and along the nearby Public Right of Way (PRoW) and Borwick Road, it does not generally present as such. This is because, from many vantage points, it is viewed in the context of the existing caravans and the nearby industrial area, which also lies in between the two parts of the caravan park. Therefore, whilst spatially, the proposed development would represent an extension into the open area, given the site's particular locational context and the relatively limited number of caravans proposed, this would not manifest itself visually to a significant extent in views from within the area.
14. The proposed development would be visible from certain locations within the caravan park and stretches of the PRoW. However, this would generally be limited to a small number of locations in close proximity, given the screening effect of vegetation along two of the site's boundaries as well as within the wider area. Whilst users of PRoWs have a high sensitivity to a change in view, the proposed development would not appear uncharacteristic given that it would be located within views where caravans are clearly present.
15. Views of the proposed development when travelling along Borwick Road would be constrained due to the screening effect of the topography and intervening vegetation. There would thus only be glimpsed views of the proposed development from this road, and it would mainly be seen in the same views as other caravans.
16. The proposed development would not therefore appear incongruous or have a harmful effect on landscape character, nor would the proposed hedging given the nature of the existing boundary vegetation and the fact that the species could be controlled by condition. Accordingly, the proposed development would not harm the character and appearance of the area. It would therefore accord

with the landscape character and local distinctiveness requirements of Policies DM29 and DM46 of the Development Management DPD. It would also accord with the design objectives in section 12 of the Framework and its objectives for conserving and enhancing the natural environment in section 15.

Other Matters

17. The appellant has highlighted a number of development plan policies and Framework paragraphs that it is considered the proposed development would comply with. Be that as it may, even were the development proposed acceptable in all other respects, that would be neutral in my determination of the scheme rather than weighing positively in favour of allowing the appeal.

Conclusion

18. The proposed development would conflict with the development plan taken as a whole as well as the Framework. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. Therefore, for the reasons given, I conclude that the appeal should not succeed.

F Wilkinson

INSPECTOR