



Appeal Decision

Hearing held on 24 May 2022

Site visit made on 24 May 2022

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th June 2022

Appeal Ref: APP/A2335/W/21/3277587

Bay View Holiday Park, Bolton le Sands, Carnforth, LA5 9TN

- 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 Holgates (Caravan Parks) Limited against the decision of Lancaster City Council.
 - The application Ref 20/00796/FUL, dated 24 July 2020, was refused by notice dated 14 January 2021.
 - The development proposed is the change of use of agricultural land, creation of access tracks and regrading of land to allow siting of touring caravans.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are:
 - Whether or not the proposal would be inappropriate development in the Green Belt for the purposes of the development plan and the *National Planning Policy Framework* (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;
 - The effect of the proposal on the landscape character and appearance of the area; 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

3. The appeal site is located in the North Lancashire Green Belt as defined by Policy EN4 of the *Local Plan for Lancaster District Part One: Strategic Policies and Land Allocations DPD (adopted July 2020)* (LP1). Both Policy EN4 and Policy DM50 of the *Development Management Development Plan Document (adopted July 2020)* (DMDPD) indicate that proposals within the Green Belt will be considered in accordance with national planning policy and inappropriate development will be resisted.

4. In addition, Policy DM52 of the DMDPD, which specifically deals with caravan and other similar developments, states that proposals for caravan sites in the Green Belt will only be permitted where they do not result in harm to the Green Belt or have an adverse impact on its openness in accordance with Policy DM50. Whilst I note the appellant's comments on the wording of the policy, at the relatively recent examination, it was clearly considered sound and in conformity with the Framework.
5. The proposal would involve both engineering operations and the change of use of the land. Paragraph 150 of the Framework states that these forms of development are not inappropriate in the Green Belt provided they preserve the openness and do not conflict with the purposes of including land within it. Whilst paragraph 150e) does not specifically mention caravan parks in the list of changes of use, the use of "such as" at the start of the list makes clear these are some examples, rather than a definitive "close" list.

Openness

6. Openness is an essential characteristic of the Green Belt along with permanence. Openness has both a spatial and visual aspect and intrusion on either can individually or collectively impact on the openness of the Green Belt. Apart from a small stretch of access track leading from the adjacent holiday park the appeal site is currently a grass field bound by hedgerows. The proposal would create 41 pitches in three rows and an internal loop road. Some regrading of the site would be necessary to enable this. The pitches would widen where they meet the internal road, to the extent that there would often be little or no gap between each area of hardstanding but as the pitches narrow grassed areas would be provided between, and to the rear, of them.
7. At the hearing the appellant indicated that the appeal site was likely to be used flexibly to provide both overnight and seasonal touring pitches. The appellant's evidence indicates that on the wider site, many seasonal touring pitches are renewed every year. Given this there is the potential that many of the pitches could have caravans on all season and potentially all year. Even if a seasonal condition was used to prevent all year use, as the appellant stated that the seasons runs from mid-February to mid-November, caravans could still be present for 9 months of the year.
8. I observed that pitches used in a similar way on the existing holiday park had a degree of domestic paraphernalia around the pitch, including items such as small storage units and picnic tables. At peak holiday time, given the demand already experienced by the existing park, it is likely that every pitch would be occupied.
9. The appellant has calculated that around 61% of the site would remain open. Nonetheless, the proposal would result in development spreading across what is currently an undeveloped field. Whilst only the hardstanding for the access road and pitches would be permanent features, some, if not many of the caravans would potentially be present on the site all year round. Activity from people and vehicles would also increase significantly on the site, although this would be more seasonal in its impact. These would all add appreciably to the spread, clutter and presence of development to the detriment of its openness.
10. The appeal site gently rises in height from the existing holiday park to the south and the east. Due to the topography and intervening vegetation, from

the north and the east there is little visibility of the site from the public realm. Approaching the site along the coastal footpath from the south, there is some visibility of the site, but these are generally long distance views in which the current open nature of the site is not readily discernible. At places it would be possible to see the top of some caravans but largely these would be indistinguishable from the existing static caravans to the immediate south of the site. As such, the fact that the proposal would extend the caravan site further along the coast would not be noticeable.

11. The site is also significantly higher than Morecambe Bay to the west, with a vegetated bank being located between the two. It is proposed to increase the planting along this field boundary. From the footpath immediately to the west of the site this difference in levels means there would be no visibility of the site. From the area of common land further to the west, glimpsed views of parts of the caravans nearest to the western edge of the site would be possible between the vegetation. These views would be greater in winter, but the number of caravans on the site then could be more limited. As a result, views of the proposal would be limited.
12. The appellant has highlighted that at present the appeal site is used for rallies by caravan clubs and other exempt organisations at various times over the season. These usually last up to 5 days, although a few extend up to 10 days, and the number of caravans varies but at times between 70-80 caravans may be present. Evidence shows that generally the site has been used in this way for between 35-45 days a year, but this year it is currently expected to be used for this purpose for 59 days.
13. Thus, even this year, which will see the field being used for this purpose more than previous years, for over 300 days of the year the field remains open. Whilst at times the intensity of the use may be greater than proposed in the appeal scheme, there is no permanent impact on the field. The lack of infrastructure acts as a limit to how much the field can be used in this way. As such, any impact on openness from this current use of the field is short lived and is not comparable with the appeal proposal.
14. Overall, the access road and pitches and the occupation of the pitches by caravans would result in the spread of development across the field. The appeal site would therefore not be 'open' in any equivalent or comparative sense to its present condition, even if a condition required the site to only be used seasonally. Views of the proposal would, however, be limited and in those views that do exist it would be seen in the context of the existing static caravans on the wider holiday park.
15. Notwithstanding the limited visual impact, spatially the proposal would still reduce the openness of the Green Belt through the spread of development across what is currently an open field. Therefore, the proposal would not preserve the openness of the Green Belt.

Purposes

16. The purposes of Green Belt are set out in paragraph 138 of the Framework. The appeal site forms part of the Green Belt lying between Bolton-Le-Sands and Carnforth. However, its location away from the A6 corridor along which development is focused means that it does not particularly have a role in

ensuring these neighbouring settlements do not merge or in preventing unrestricted sprawl of built-up areas.

17. The Council's aerial photographs show that in the vicinity of the appeal site, apart from the existing holiday park, the land between the railway line and the coast consists largely of open fields. I observed that much of this is used for grazing of livestock or horses. However, the appeal site and the field immediately to the east are distinctly different to the surrounding fields and do not share their agricultural appearance due to the more manicured nature of the grass within them. This reflects the use of the adjacent field for camping associated with the holiday park, and the use of the appeal site for caravan rallies.
18. To the east of the camping field the existing holiday park already has an area used for touring caravans that extends a similar distance to the north as the appeal site and the camping field. Given this and the appearance of the field, it relates far more closely to the existing holiday park than the open countryside beyond. This is how I expect it is perceived by those who might walk through the holiday park on the public footpath.
19. In the light of this, I consider that its development would not result in encroachment of development into the countryside, and so it would not be contrary to paragraph 138 c).
20. There was no dispute that the appeal scheme would be contrary to any of the other purposes of the Green Belt. Nothing I saw, heard or read, leads me to a different conclusion in this regard. Therefore, I am satisfied that the development would not conflict with any of the purposes of including land within the Green Belt.

Conclusion on whether inappropriate development

21. Although the proposal would not be contrary to the purposes of including land in the Green Belt, it would not preserve the openness of the Green Belt. Given this it would be inappropriate development in the Green Belt, which according to paragraph 147 of the Framework is, by definition, harmful and should only be approved in very special circumstances. Paragraph 148 of the Framework indicates that substantial weight has to be given to any harm to the Green Belt.

Landscape character and appearance

22. The appeal site forms part of the 'Morecambe Coast and Lune Estuary' National Landscape Character Area and in the Lancashire County Landscape Character Area is located in 'Low Coastal Drumlins, sub type 12a Carnforth-Galgate-Cockerham'.
23. The immediate vicinity displays some of the key characteristics of the landscape type such as the gently undulating landform, drumlin features, panoramic views across Morecambe Bay, and being a pastoral landscape enclosed by hedges. The landscape assessment also identifies that a key characteristic of the area is coastal developments, that reflect the long history of the visitor economy, and which includes a range of caravan sites along the more rural part of the coastal strip.
24. The undulating topography often makes the landscape intimate and views contained, which contrasts with the open character and panoramic views

possible across the bay from the coast. Human activity in the vicinity is largely focussed along the main road and rail transport corridors that run roughly north-south. However, away from this and particularly in the area between it and Morecambe Bay human activity is more limited and the character more tranquil.

25. Neither the site nor the wider area is covered by any national or local landscape designations. In being typical of the landscape typology the area makes a positive contribution to the character of the countryside. However, whilst the site and its vicinity contain features that are characteristic of the area, none of these are particularly rare, neither are the features exceptional examples.
26. The proposal on what is an open field would alter the character of the site. Nevertheless, the site is already used at times for caravan rallies, and this is reflected to a certain degree in its appearance, which is different to the adjacent pastoral fields. The proposal would be a relatively small extension to the existing holiday park which is an established and characteristic feature of this landscape. As a result, it would not be an incongruous feature. Bearing in mind the extent of the current holiday park, the magnitude of the change to the landscape character of the area from the proposed extension would be negligible.
27. The appellant's Landscape and Visual Assessment included a number of representative viewpoints, many of which I visited as part of my site visit. The photomontages and wireline views provide a useful tool in assessing and understanding the likely impact of the proposal from a broad range of locations. It is not disputed that from many of these the proposal would not have a significant effect on the visual amenity of receptors, and from what I saw I would agree with this conclusion.
28. The main impacts are on recreational users of the coastal footpath and the common land that spreads out into the bay. Visibility of the site varies from these, but due to the topography and intervening vegetation they are largely restricted to being from the south and the west. Where views of the site are possible it is seen in the context of the adjacent holiday park.
29. In the more distant views, such as from Red Bank Farm, although the proposal would be visible, the degree of change from the proposed development would be minimal in the context of the existing holiday park, and the fact that it is only a small element in a panoramic vista.
30. In shorter range views the vegetation on the bank leading up to the western edge of the site often restricts views of it. The proposed caravans would be located behind this. However, in places glimpsed views of caravans would be possible, and in winter potential views would be greater, although some filtering by the vegetation would still occur. The proposed touring caravans would be far less visible than the adjacent static caravans which form part of the context in which they would be seen. Nevertheless, in such views, the proposal would have a moderate visual impact in the winter and less in summer. This would be reduced over time as the proposed planting matures.
31. Overall, although the proposal would alter the character of the site, it would be well related to the existing holiday park and would have a negligible effect on the landscape character. Visual impacts would be localised and restricted to

recreational users of the footpath and common land. At worst, in winter, this would result in moderate harm in a limited number of views and in summer and over time as landscaping matures, I consider this would reduce to minor.

32. Given this I am satisfied that the proposal would not unacceptably harm the landscape character and appearance of the area. Consequently, there would be no conflict with Policies DM29, DM46 and DM52 of the DMDPD which seek to ensure that developments in general, and caravan developments specifically, are in keeping with the landscape character of the area and do not have a significant detrimental impact on the visual amenity of the area.
33. The appeal site lies in the setting of Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) which extends into Morecambe Bay. The Council have indicated that due to the distance to this and the nature of the proposal they do not consider it would adversely affect the AONB. This is a conclusion with which I agree.

Other considerations

34. Policy DM52 of the DMDPD in principle supports proposals for caravan developments in sustainable and accessible locations outside areas designated for landscape importance. In addition, the Framework supports sustainable rural tourism and leisure developments which respect the character of the countryside, and it also encourages opportunities to enhance the beneficial use of the Green Belt.
35. However, as highlighted above, Policy DM52 indicates that proposals in the Green Belt will only be permitted where it is concluded they would not harm the Green Belt, which I have concluded above would not be the case here. Similarly, in terms of the Framework, given it causes harm to the Green Belt, I consider that this is not a beneficial use.
36. The appellant has argued that the wording of this part of Policy DM52 means it only refers to new caravan sites rather than extensions to existing ones. However, I consider that the first sentence sets out what all of this section of the policy covers and does not just refer to the first part and that the use of "caravan sites" in the last sentence is a collective term for everything set out previously.
37. The appellant has provided evidence showing the huge demand for caravan pitches both at this site and more generally in the area and the proposal would help to meet some of this. In close proximity to the towns of Carnforth and Bolton-Le-Sands and the A6, this is an accessible location. In addition, it is argued that the ability for the development to utilise the existing facilities on the wider holiday park rather than needing new ones, means that it is a better location than a new site elsewhere.
38. However, the evidence before me shows that there are a significant number of caravan and camping sites in the wider area, many of which appeared to be outside of the Green Belt. As such, it would appear that this growth in demand could potentially be accommodated elsewhere where it would not cause harm to the Green Belt. As such, I only give moderate weight to this benefit.
39. It is highlighted by the appellant that whilst the development plan acknowledges the significant demand for caravan developments in the area, it does not allocate any land for such purposes. However, there is no specific

requirement for development plans to do this, and the plan contains a criteria-based policy for assessing such proposals.

40. The proposed development would provide benefits to the local economy both through increased visitor spend and indirectly through the supply chain. In addition, the application form indicates that 2 new jobs would be created. I give these economic benefits significant weight.
41. Whilst it has been suggested that the proposal would secure the future of existing operation, which is a significant employer in the area, no evidence has been provided to show that the appeal scheme is necessary to ensure the viability of the existing holiday park, which the appellant's own evidence shows is very popular.

Other Matters

42. Morecambe Bay is a Special Area of Conservation, Special Protection Area, a Ramsar site and a Site of Special Scientific Interest and so is subject to protection under the Conservation of Habitats and Species Regulations 2010. However, as I am dismissing the appeal for other reasons, I have not considered this matter further.
43. I note the concern from the Ramblers Association who consider that the route of the proposed English Coastal Path should be along the cliff top so it is not affected by the tides. However, the route of the path is not a matter before me in this appeal and I understand that the alternative route proposed for when the main path cannot be used utilises existing footpaths slightly inland, rather than a route along the cliff top which would include the appeal site.
44. I have given careful consideration to whether permission could be granted for a temporary period of 5 years as suggested by the appellant. The *Planning Practice Guidance* considers circumstances where it might be appropriate to grant a temporary permission. Whilst it not a "closed list", I consider the circumstances provided are not applicable in this case as it is neither necessary to assess the effect of the development nor is it expected that the planning circumstances will have changed at the end of 5 years. I agree with the Council that given the cost involved in establishing the change of use, such a condition could fail the test of reasonableness. However, even if it was considered to be reasonable, I consider that the benefits would still not clearly outweigh the harm to the Green Belt over the 5 year period.

Planning Balance and Conclusion

45. The proposed development would be inappropriate development in the Green Belt, which is harmful by definition. In accordance with paragraph 148 of the Framework, I attach substantial weight to the harm to the Green Belt. Whilst I have concluded that the proposal would not harm the landscape character and appearance of the area, an absence of harm in this regard is a neutral factor. Despite having regard to all the other considerations put before me, I consider that taken together, the factors cited in its favour do not clearly outweigh the harm the scheme would cause.

46. Consequently, the very special circumstances necessary to justify the development do not exist. As a result, the proposal would be contrary to Policy EN4 of LP1, and Policies DM50 and DM52 of the DMDPD and the Framework. Therefore, I conclude the appeal should be dismissed.

Alison Partington

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Harry Tonge	Steven Abbott Associates
Michael Rudd	Counsel
Michael Holgate	Appellant
Stuart Galpin	Galpin Landscape Architecture

FOR THE LOCAL PLANNING AUTHORITY:

Eleanor Fawcett	Senior Planning Officer, Lancaster City Council
Robert Clarke	Planning Officer, Lancaster City Council

INTERESTED PARTIES:

Brian Jones	Ramblers Association
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DOCUMENTS SUBMITTED AT THE HEARING:

1. Map of Green Belt boundaries in the wider area submitted by the appellant
2. Conservation objectives for the Morecambe Bay Special Area of Conservation, Special Protection Area, RAMSAR and SSSI submitted by the Council