



Appeal Decision

Hearing held on 7 March 2023

Site visit made on 8 March 2023

by A Caines BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2023

Appeal Ref: APP/T2350/W/22/3298810

**Land east of Ribble Valley Country and Leisure Park, Settle Lane,
Paythorne BB7 4JD**

- 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 Park Leisure 2000 Ltd against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2021/0720, dated 8 July 2021, was refused by notice dated 7 January 2022.
 - The development proposed was originally described as change of use of land to form an extension of Ribble Valley Country and Leisure Park to facilitate an additional 95 static caravan pitches (allowing a total of 420 pitches across the park), associated highway works, sewage treatment plant and pumping station, improvements to the existing open space and the creation of additional open space, landscaping and other associated works.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The development description in the banner heading above is taken from the planning application form. However, the application was revised during the Council's consideration of the proposal by way of a reduction in unit numbers from 95 to 62 (a total of 387 across the park). I have determined the appeal on the same basis.
3. The appeal was accompanied by a number of additional plans and documents. The Council and interested parties had an opportunity to comment on these and raised no objection to their submission. I am also satisfied that these plans and documents do not materially alter the substance of the planning application the Council considered, and that interested parties would not be unduly prejudiced. Therefore, I have accepted these plans and documents as evidence in determining this appeal.
4. Prior to the hearing, a signed planning obligation made under Section 106 of the Town and Country Planning Act 1990 (S106) was submitted. The S106 provides for a contribution of £25,686 towards off-site public rights of way (PROW) improvements. However, as I am dismissing the appeal for other substantive reasons, it has not been necessary to examine the S106 in any detail.

Main Issue

5. The main issue in this appeal is whether the proposal would constitute an appropriate form of development at the site with particular regard to the effect on the character and appearance of the area.

Reasons

6. The appeal site is located in the open countryside outside of any recognised settlement. It comprises of two undeveloped pasture fields of about 5.79 hectares, which extend south-eastwards from the edge of the existing Ribble Valley Country and Leisure Park. The remaining site boundaries are formed by established hedgerows and trees, including ancient woodland along the incised corridor of the Twin Ghylls to the south. Paythorne lies to the north of the appeal site, beyond further fields, and although it contains a public house and chapel, it can be more reasonably described as a hamlet by virtue of its small scale and the scattered location of buildings along Kiln Lane. A public footpath traverses through the top part of the site, linking to Kiln Lane and the wider PROW network, including a further footpath and a bridleway to the south-west of the site.
7. In terms of landscape character, the appeal site is located within Natural England National Character Area NCA33 Bowland Fringe and Pendle Hills. In the Landscape Strategy for Lancashire Landscape Character Assessment (2000) the site is included within LCA5F Lower Ribblesdale (Gisburn to Hellifield) Undulating Lowland Farmland. Together, these set out the key characteristics of this landscape, including that it is highly rural with an undulating, rolling landscape of small to medium sized pastoral fields interspersed by hedgerow field boundaries and incised wooded cloughs. There are small, often linear, villages, hamlets and scattered farmsteads, mostly in local stone. Larger towns are noted to be not typical of the settlement pattern in this landscape area. The landscape objectives for the area emphasise the retention and enhancement of landscape elements.
8. The appellant's Landscape and Visual Impact Assessment (LVIA) states that the overall sensitivity of the site to the development is judged as moderate. To my mind, the appeal site displays the typical characteristics of the area in that it is part of a patchwork of open, rolling pasture fields bordered by hedgerows and wooded cloughs. Thus, whilst the appeal site is not part of a landscape designated within the development plan or elsewhere as being of particular recognised value or historic interest, it contributes positively to the landscape character of the area, and is generally pleasant and attractive with a strong rural feel, notwithstanding the influence of the existing caravan park.
9. The development would be operated as an extension to the existing caravan park and would include 62 static caravan pitches and associated parking spaces. These would be sited along a new internal loop road leading from the existing park. I have had regard to the appellants landscape strategy and how mitigation has been embedded in the scheme to seek to reduce effects on the landscape, including through the layout which focuses the static caravans mostly to the lower margins of the site and retains a central space for recreation and landscaping.
10. Nonetheless, the development would be spread over a relatively wide area and would dramatically alter the character of the fields in which it would be located.

This would be despite existing landscape features such as hedges and trees being retained and the lack of development in the southern-most part of the site. There would be built development with associated activity and noise, including the movement and parking of vehicles, where currently there is simple pasture. In the hours of darkness there would be increased effects of lighting from inside the caravans, car headlights, and outside lighting. This would be markedly out of keeping with the undeveloped rural character of the appeal site.

11. Furthermore, whilst the development would adjoin the existing caravan park at one end, it would be of some scale and mainly surrounded by open fields and trees, such that it would not be a small or natural extension of the existing park. It would also be physically and visually detached from Paythorne by virtue of the intervening fields and boundary vegetation. As a result, the scheme would constitute a significant encroachment into the open countryside. It would be in stark contrast to the openness and verdant qualities of the fields and trees which border it. By virtue of its cumulative scale and density, it would also be out of keeping with the characteristic rural pattern of scattered farmsteads and settlements of limited size.
12. Consequently, the development would give rise to significant harm to the character of the landscape. Whilst the scheme does include various proposals for environmental enhancement, this is largely to compensate for the effect of the proposed development and would not adequately mitigate the overall effects of the appeal scheme on landscape character, which would experience significant change as a result of the proposed land use.
13. In terms of visual impacts, I would concur with at least some of the findings of the LIVA in that the development would be mostly screened from long views in the wider landscape by a combination of topography, roadside hedges, and the vegetation around the site. However, the scheme would be much more visible in some closer views, particularly from the PROWs that traverse through and to the south-west of the site. The users of these routes should rightly be regarded as sensitive receptors. The main reason for people using these routes is likely to be for recreation and to experience the countryside. The appellant's assertion that the PROWs are not well used is firmly disputed by local residents. Indeed, during my site visit I encountered a dog walker and observed clear signs of use, particularly at the stiles, bridge, and gates.
14. For the reasons already outlined above, the development would fundamentally change the experience of recreational users travelling through the site. This also includes the change in the nature of the footpath from an uninterrupted, unsurfaced route through a field, to a formalised stone-surfaced path through a developed caravan park with two road crossings. Users would remain keenly aware of the extent and proximity of the caravans and any vehicles, despite the caravan layout and proposed landscape screening on both sides of the path. The screening function of the proposed landscaping would also not be reflective of the open character and appearance of the appeal site, in places funnelling the route and restricting views of the countryside. My judgement is that there would be a major adverse visual impact for users of this footpath for the lifetime of the scheme. The impact on users of the nearby footpath and bridleway to the south-west of the site would be less marked, but still material. From my observations along these routes, I am not persuaded that additional boundary planting and darker cladding materials would be sufficient to

completely screen the caravans from view when the vegetation is not in full leaf. I am also mindful that new boundary landscaping would take many years to establish and should not be regarded as permanent as it could die or be removed.

15. The fact that the existing caravans at the edge of the site are also experienced does not lessen the likely visual impact of the scheme. Moreover, it was clarified during the hearing that the structural planting along the southern boundary of the existing caravan park, as required by a previous planning permission (3/2015/0567), has yet to be fully established. I have also taken into account that caravan parks are often found in rural areas and that there are some other large caravan parks in the wider local area. However, it is necessary that development takes place in the right places where effects on the character and appearance of the area would be acceptable. This is dependent on the particular site circumstances and the development.
16. I therefore find that the appeal scheme would have significant adverse effects on both landscape character and a number of key visual receptors, notwithstanding the landscape strategy and mitigation proposed. It would not make a positive contribution to sense of place or local distinctiveness by virtue of its scale, style and building materials. As such, it would be contrary to Key Statement EN2: Landscape of the Ribble Valley Core Strategy 2008-2028 (2014) (the CS), which expects development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, features and building materials.
17. There are policies within the CS which provide support for economic and tourism development in the countryside. This support is however, not unqualified, but subject to certain criteria and other considerations.
18. The second part of Policy DMG2 requires development outside the defined settlement areas to meet at least one of its six criteria. Criterion 1 states that development should be essential to the local economy. Tourism is recognised as one of the most important sectors in Ribble Valley and features as a strategic objective in the CS. It is also a priority action area in the Council's Economic Plan 2019-2022. Therefore, and having regard to the likely economic benefits identified in the appellants Economic Assessment (June 2021), I am satisfied that the development complies with criterion 1. As such, it is not necessary to consider the remaining criteria. However, the policy goes on to state that within the open countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting. The harm I have identified means that this policy cannot support the proposal.
19. Policy DMB3 seeks to permit development proposals that extend the range of tourism and visitor facilities when, amongst other criteria, the proposal does not conflict with other policies; is physically well related to a settlement or group of buildings; and does not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design. Again, this policy cannot be relied upon to support the proposal in view of the identified harm and conflict with other policies.
20. In addition, while Key Statement EC3 (Visitor Economy) and Policy DMB1 (Supporting Business Growth and the Local Economy) were not cited within the

Council's refusal reasons, they are clearly relevant, and I find conflict with their respective requirements to deliver overall improvements to the environment, and be assimilated within the local landscape. More generally, Key Statement EC1 (Business and Employment Development) lends some support to strengthening the wider rural and village economies, but the stronger pull of the other policies set out above means that this cannot sway the balance in favour of the proposal.

21. The appellant suggests that there is a disconnect between some of the economic and landscape objectives of the above mentioned CS policies, and that their wording is inconsistent with the Framework. However, it is well established that development plans should be read fairly as a whole and without excessive legalism. Despite some minor differences in the phraseology used, I find that collectively the thrust of the relevant CS policies are consistent with the aims of the Framework with regards to supporting a prosperous rural economy through enabling sustainable rural tourism and leisure developments which respect the character of the countryside; as well as in regards to ensuring development is sympathetic to local character including the built environment and landscape; establishes or maintains a strong sense of place; and recognises the intrinsic character and beauty of the countryside. As such, the relevant development plan policies should not be considered out of date for the purposes of this appeal.
22. In conclusion, the appeal scheme would give rise to significant harm to the character and appearance of the area, and so, is contrary to Key Statement EN2 and CS Policies DMG2 and DMB3. For the same reason there is also conflict with Key Statement EC3 and Policy DMB1 of the CS. I afford very significant weight to this conflict. Therefore, the proposal would not constitute an appropriate form of development at the site.

Other Matters

23. The financial benefits to the local economy would include additional local expenditure from the occupants of the development, the creation of jobs, and some time-limited economic benefits during construction. The development would also improve the amount and range of visitor accommodation in the area, albeit this is mostly an owner occupied park. The economic and tourism benefits are significant positive factors that weigh in favour of the scheme.
24. There would be other positive factors in the form of additional landscaping and biodiversity enhancements at the site, as well as a payment towards off-site PROW improvements. However, these are either required to mitigate the effects of the development, or otherwise tempered by the harmful effects identified, so carry negligible weight in favour of the scheme.
25. The Council did not identify harm in relation to a number of other concerns raised by the Parish Council and local residents, including highway safety, wildlife, water supply, and disturbance to neighbouring occupants. As I am dismissing the appeal for other substantive reasons, it has not been necessary to consider those matters any further in this Decision.
26. The Paythorne Methodist Chapel and Paythorne Bridge are both grade II listed and lie around 230 metres and 300 metres from the site boundary respectively. From the evidence before me, the significance of these heritage assets derives mainly from their architectural and historic interest. I have considered the

effect of the proposal on these heritage assets, but I have no reason to find that their settings and significance would be adversely affected.

27. Planning permission was recommended to be granted by Council planning officers and due consideration has been given to the contents of their report. I also note that the appellant engaged with the Council in pre-application advice and made significant amendments to the scheme during the application process. However, I concur with the Council's ultimate decision for the reasons set out above.

Conclusion

28. I have found conflict with a number of relevant policies of the CS and consider that the appeal proposal through the identified conflict does not accord with the development plan as a whole. Material considerations, including potential economic and tourism benefits, do not indicate that planning permission should be granted for the development which is in conflict with the development plan.
29. For the above reasons, I conclude that the appeal should be dismissed.

A Caines

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Simon Pemberton	Lichfields
Dominic Holding	Lichfields
Stephen Heward	H2 Landscape Planning Partnership Ltd
Josh Kitson	Walker Morris
Matt Purdom	Park Holidays
Anna Meer	DLP Consultants

FOR THE LOCAL PLANNING AUTHORITY:

Simon Plowman	Plan:8
Stephen Kilmarnock	Ribble Valley Borough Council

INTERESTED PERSONS:

Mark Rosthorn
Stella Rosthorn
Councillor Richard Sherras

DOCUMENTS SUBMITTED AT THE HEARING:

Erratum to Landscape Statement by H2 Landscape Planning Partnership