



Appeal Decision

Site visit made on 2 March 2023

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th April 2023

Appeal Ref: APP/M0933/W/22/3309732

**Holgates Caravan Park, Middlebarrow Plain, Cove Road, Silverdale
LA5 0SH**

- 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 South Lakeland District Council.
 - The application Ref SL/2021/0990, dated 8 October 2021, was refused by notice dated 15 June 2022.
 - The development proposed is the erection of new staff accommodation and change of use of existing accommodation to office space.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are as follows:
 - Whether the location of the proposal would be appropriate having regard to local and national planning policy;
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on biodiversity.

Reasons

Whether Appropriate Location

3. Policy AS01 of the DPD¹ states that development on the edge and outside of settlements will be treated as exceptions and will be permitted only where there would be no adverse impact on settlement and landscape character; and that there is an essential need for a rural location or it will help sustain an existing business, among other things.
4. The proposal includes the change of use of existing staff accommodation within the park's main building to office space as well as the erection of a pair of semi-detached bungalows located in an area of grassland adjacent the visitor parking area. The latter would provide new staff accommodation. The appeal site forms part of the wider caravan park which is located outside of the settlement boundary of Silverdale.

¹ Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) Development Plan Document (Adopted March 2019).

5. Although there may be operational and functional advantages to having staff accommodation onsite, there is little substantive evidence before me to demonstrate an essential need for the location or that it would sustain an existing business. I have no information as to what duties the staff who would occupy the dwellings would undertake and why this would necessitate living at the site.
6. I understand that there is existing provision for this on site. However, this is contained within the existing large reception/office building of the wider site and the erection of a new building for this purpose requires assessment against current planning policy and material considerations. Although the appellant states that other locations for the proposal were considered, I have no information on these before me and it is unclear whether staff could be accommodated elsewhere within the park or in existing accommodation in Silverdale or other nearby settlements, for example.
7. The appellant claims that the proposal would be located on previously developed land (PDL), as the bungalow location is within the wider caravan park boundary and the use is established in the appeal site location. However, the Framework glossary defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land, among other things. As the appellant agrees, there are no structures at the site at present and as such, from the evidence before me I disagree that it would be PDL. Its last use appears to have been a pitch and putt type mini golf facility, although from my observations this use appears to have ceased some time ago.
8. I note the assertion that the appellant could exercise their permitted development rights to erect caravans in that location for staff. That may or may not be the case, but the characteristics of caravans would be considerably different to the proposed bungalows, which are of substantial stone construction. As such this does not persuade me that the proposal would meet the exceptions of Policy AS01 in this regard.
9. To conclude on this main issue, the proposal has not demonstrated an essential need or the sustaining of a business for the bungalows in this location. This would be contrary to Policies AS01 of the DPD, CS1.1 and CS1.2 of the CS² and DM1 and DM2 of the DMP³. These seek, among other things, for development to demonstrate an essential need outside of settlements.

Character and Appearance

10. The appeal site is located within the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB). Policy AS02 of the DPD states that within the AONB, development proposals will generally be required to demonstrate how they conserve and enhance the landscape and natural beauty of the area. Proposals will not be permitted where they would have an adverse effect on the AONB.
11. I have had regard to the findings of the Landscape and Visual Impact Assessment (LVIA) (Galpin Landscape Architecture). The site is within the Coastal Limestone Pasture Landscape Character Type (LCT) of the Arnside & Silverdale Landscape and Seascape Character Assessment (LSCA). This character type is considered to have a high level of inherent sensitivity. As a

² South Lakeland Local Development Framework Core Strategy (Adopted October 2010).

³ South Lakeland Development Management Policies Development Plan Document (Adopted March 2019).

result, overall capacity to accommodate change without compromising the key characteristics of the Coastal Limestone Pasture Landscape Character Type is considered to be very limited, apart from change which reinforces positive attributes such as habitat enhancements.

12. However, I disagree that the character of the site is enclosed and intimate. On the site visit I observed that the parcel of land was clearly visible from Cove Road and the visitor car park. Although some planting had been introduced at the time of my visit to the southern boundary lining Cove Road, this was not established. This may be a snapshot in time when some trees were not in leaf given the time of year, but that would be the case moving forward during winter months, and although additional evergreen planting is proposed as part of mitigation, this would take some time to mature. In the medium term, the building would be obvious and prominent in these views for significant portions of the year. This would cause visual harm to the local area.
13. The proposed bungalows would be situated in an area described as amenity grassland. The site includes numerous trees while the southern boundary with Cove Road is marked by a maintained hedgerow. As such it displays a mix of rural and domestic character which is somewhat transitional in nature set between the main built form of the caravan park and the wider countryside to the west. Overall, it is a verdant parcel of land which makes a limited but generally positive contribution to the local area.
14. Although located within the caravan park boundary, most of the caravans themselves are located to the northeast of the reception/office building. To the west of the bungalow site beyond the tree belt, development becomes much more sporadic and is predominantly formed of other caravan parks further along the coast of Morecambe Bay.
15. The proposed semi-detached dwellings would be of substantial construction. They would be faced in limestone with a slate roof with three bedrooms each, alongside standard living areas. They would cover a significant area, and although no garden areas are indicated on the proposed plans, the proposal would cause a significantly urbanising effect on a verdant area of land. This would be contrary to the character of the locality and further afield beyond the caravan park to the west. In my view, this would not reinforce the positive attributes of the Coastal Limestone Pasture LCT.
16. To conclude, the proposal would harm the character and appearance of the area. This would be contrary to Policies AS01, AS02 and AS08 of the DPD, CS1.1, CS1.2, CS8.2 and CS8.10 of the CS and DM1 and DM2 of the DMP. These seek to ensure development proposals conserve and enhance the landscape and natural beauty of the area, among other things. The proposal would also be contrary to the aims of the Framework, which advises in paragraph 176 that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.

Biodiversity

17. The Council has concerns regarding the impact of the proposal on ecological and geological interests of the site, including on the Limestone Pavement Order and the County Wildlife Site. A Preliminary Ecological Appraisal (envirotech)

was submitted with the appeal, and the Council was offered the opportunity to comment on its findings.

18. The report concluded that the site has low ecological value, there were no protected species recorded at the time of the visit and the limestone footpath does not occur at the location of the proposed dwelling. Based on my own observations, and from all I have read in the evidence before me, I see no reason to conclude differently on this matter. Moreover, the submitted plans show additional planting which would eventually offer habitat enhancements while no existing trees would be felled.
19. Accordingly, based on the evidence before me, the proposal would accord with Policies AS01 and AS04 of the DPD, CS1.1, CS8.1 and CS8.4 of the CS and DM1 and DM2 of the DMP. These seek, among other things, to ensure development proposals conserve and enhance the AONB's biodiversity and geodiversity. This would also accord with the aims of the Framework through paragraph 174, which advises development should enhance the local environment by minimising impacts on and providing net gains for biodiversity, amongst other things.

Other Matters

20. Policy AS03 of the DPD states that within the AONB, proposals for new housing development of two or more properties will be supported where they deliver no less than 50% affordable housing. The appellant disputes the need for this contribution given the proposal is for a rural worker's dwelling and has agreed to a condition to limit the occupation to this type. The decision notice is clear that the Council consider this a separate issue, albeit it is emphasised within the same reason for refusal as the locational consideration of the first main issue. As I have concluded that the proposal would not demonstrate an essential need, I have not considered further the matter of whether the proposal should include an affordable housing contribution.

Planning Balance

21. The proposal would provide additional office space in the main building of the caravan park. I note the Council does not dispute the need in principle for this, although as a consequence of this element of the scheme, the appellant argues staff accommodation must be provided elsewhere. However, I have not been provided with sufficient evidence showing an essential need for onsite workers accommodation.
22. The owner of the site employs some 130 people and operates several sites across the area. In this regard, the business would make a substantial contribution to the tourism sector locally. I acknowledge the financial benefits of tourism to the economy locally and more generally on a national level. Indeed, the Framework supports the expansion of rural businesses. However, there is little in the way of specific financial information on this matter with regards to the appeal site, relating to why staff would be required to be on site 24/7 all year-round. As such, based on the evidence before me, any benefits of the proposal would be of convenience rather than essential need and would carry only limited weight in favour of the scheme.
23. Set against this, the proposal would be contrary to the spatial distribution of housing aims of the development plan while I have also concluded there would

be further harm to the character and appearance of the area. These matters weigh substantially against the proposal. The Council did not respond to the ecological and geological assessment, and on this matter, based on the evidence before me, I saw no conflict. A lack of harm is neutral in the planning balance and taken together the harm would outweigh the limited benefits of the scheme.

Conclusion

24. In conclusion, the proposal would conflict with the development plan and there are no other considerations, including the Framework, which outweigh this conflict. The appeal should therefore be dismissed.

C McDonagh

INSPECTOR