



Appeal Decision

Site visit made on 24 April 2023

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th May 2023

Appeal Ref: APP/A2525/W/22/3302147

Spalding Gate, High Road, Moulton, Lincolnshire PE12 6NU

- 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 Barry de Lacey against the decision of South Holland District Council.
 - The application Ref H13/1204/21, dated 14 November 2021, was refused by notice dated 15 February 2022.
 - The development is described on the application form as: *'This proposal refers to a plot of land (approx half acre) at Spalding Gate, Moulton, Lincs, which is owned by my wife and I, and has been for twenty years. It has only been used for storing a small towing caravan and for visual pleasure. Recently, from 1 July 2021, we have lost the use of our rented bungalow in Happisburgh, Norfolk after 31 years (the new owner now wishes to sell). We are now renting a one bed flat in Spalding, without a garden or view. We had installed a larger static caravan at Moulton for storage purposes, while we searched for accommodation locally and would now like to make a garden and enjoy our plot, with an occasional stay overnight in the better weather.'*
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. For the purposes of determination, and in the interests of conciseness, I have used the description of development¹ stated on the Council's Decision Notice as opposed to that given on the application form. The description given by the Council acknowledges that the static caravan in question does not serve as a permanent place of residence (rather, for domestic storage purposes) and references a change of use of agricultural land to an amenity area. Whilst the appellant has asserted at appeal stage that no change of use of the land has occurred, this is not fully consistent with his own description of development which refers to a desire to make a garden and enjoy the plot. I shall consider the appeal accordingly.

Main Issue

3. The effect upon the character and appearance of the rural area.

Reasons

4. At its southern end, the site is of narrow width, incorporates access from Spalding Gate, and contains a long-established shed seemingly used for

¹ Change of use of agricultural land to amenity area including siting of static caravan for domestic storage and occasional overnight stay - retrospective

general storage/private workshop purposes. To the rear/north, the site widens and contains a small touring caravan and larger static caravan. The site is located outside of Moulton's designated settlement boundary, and thus comprises Countryside as defined in local planning policy terms. Befitting of its Countryside location, and notwithstanding the proximity of established and recent residential development, the main rear portion of the site takes the general appearance of a grassed paddock. Moreover, it is predominantly grassed, edged by some elements of established hedgerow, and bordered by neighbouring parcels of agricultural land.

5. The static caravan, being stepped away from any site boundary, is not especially discreet in terms of its on-site positioning and can be read as a somewhat jarring domestic addition to the Countryside. Indeed, I experienced visibility of its uppermost parts from a range of publicly accessible vantage points along Spalding Gate and noted its potential to influence available views from neighbouring properties and land. For the avoidance of doubt, whilst the static caravan could theoretically be moved within the site, it is my responsibility to determine the appeal based on the plan² submitted. In any case, wherever sited across the main rear portion of the site, its visual impact would, realistically, not be dissimilar.
6. Upon inspection, I observed some further domestic influences associated with the use of on-site land for amenity purposes. For example, areas of recently mown grass serving as pathways, a freestanding covered seating area, and a small amount of externally located garden furniture were all observable features that, when taken in combination, failed to seamlessly integrate with their inherently rural surroundings. Moreover, these features, whether recent or longstanding, could be observed to erode the site's ruralness. I have noted the appellant's willingness to have horses graze the site (as has occurred in the past) but such activities would not, in isolation, fully restore a rural/agricultural character to external areas of the site.
7. Thus, for the above reasons, the development that is the focus of my considerations has, to some material degree, eroded the simple rural qualities of the site and, on this basis, caused harm to the character and appearance of the rural area. There is thus identifiable conflict with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan 2011-2036 (adopted March 2019) (the LP) and the National Planning Policy Framework (July 2021) (the Framework) in so far as these policies set out a spatial strategy for development and require all new development to create distinctive places through the use of high quality and inclusive design and layout.

Other Matters

8. The potential for multiple static caravans to be stationed at the site has been raised by an interested party. However, for the avoidance of doubt, my considerations are necessarily focussed upon existing arrangements at the site.
9. I have no reason to doubt the appellant's assertions that no foul water is discharged at the site and that the static caravan is not connected to any facilities that could potentially support permanent occupation or anything more than occasional overnight stays. I also accept that no unacceptable disruption to wildlife has realistically been necessitated. However, these considerations

² Location Plan, scale 1:1250

do not alter my assessment that an unacceptable domestication of the site has occurred.

10. Furthermore, the harm in character and appearance terms that I have identified would not be suitably abated by the imposition of potential planning conditions requiring either the static caravan to be removed within a temporary period, or the domestic storage/amenity use to terminate at an unspecified point in time when the appellant and his wife cease to occupy the premises in the future.

Planning Balance

11. In terms of the benefits of the development, it is my understanding that the appellant does not have access to a garden at his current small flatted permanent address. In this context, the static caravan and wider site offers useful storage opportunities as well as valuable access to external amenity space for the enjoyment of the appellant and his wife. However, being private rather than public in nature, such benefits attract minor weight in the planning balance. In my judgement, the scheme's benefits do not outweigh the harm and associated policy conflicts I have identified. Moreover, it has not been clearly substantiated that the development is necessary to a Countryside location. There is conflict with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

12. For the above reasons, the appeal is dismissed.

Andrew Smith

INSPECTOR