



Appeal Decision

Site visit made on 15 August 2023

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 1 September 2023

Appeal Ref: APP/G0908/W/23/3319037

Rowanbank Caravan Park, Beckfoot, Silloth, Wigton CA7 4LA

- 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 Steel of J O Steel Consulting against the decision of Allerdale Borough Council.
 - The application Ref FUL, dated 3 February 2022, was refused by notice dated 27 February 2023.
 - The development proposed is stationing of two static caravans.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application originally proposed 4 static caravans. However, the Council accepted amended plans during the processing of the planning application that reduced the number of caravans. I have therefore taken the description of the development from the decision notice in the banner heading above as this describes the scheme that was considered by the Council.

Main Issue

3. The main issues are the effects of the proposal on i) the character and appearance of the area; and ii) the living conditions of neighbouring residential occupiers, with particular regard to loss of privacy and outlook.

Reasons

Character and appearance

4. Rowanbank Caravan Park is an established tourism site with static caravans and pitches for touring caravans, motor homes and tents. The site is set back from the road to the rear and at the end of a loose ribbon of primarily residential development interspersed with agricultural land. There is a further caravan park more centrally located but similarly set back from the residential development along the road. The small rural settlement is in an exposed coastal location on the opposite side of the road to the Solway Firth, in an area of relatively flat and intensively managed agricultural land.
5. The 2 caravans would be sited on open elevated land directly to the rear of Garth Cottage and to the front of the existing caravan park. The caravans would be accessed from the highway via the existing access to the side of Garth Cottage that serves the caravan park and Rowanbank Bungalow to the side of the appeal site.

6. The location plan indicates that the appeal site is roughly 1.5m above the level of the highway, although third party evidence suggests it is 2.25m higher. Irrespective of the precise height, the appeal site appears to be roughly at the level of the eaves of Garth Cottage, which is a modest single storey dwelling with a low pitched roof. The caravans would each be about 12.8m long with commensurate width and height, and they would be roughly as long as the shared boundary with Garth Cottage. By virtue of the prominent elevated location and their large size, the caravans would be a conspicuous feature rising well above the roof of Garth Cottage.
7. The caravan park to the rear is at a lower ground level than both the appeal site and the adjacent open agricultural land, which rises away from the road. As such, except for their shallow roofs, the existing caravans are largely screened from views approaching along the road from the direction of Silloth. In contrast, the proposal would be prominently sited and elevated above the caravans to its rear. It would not be screened by topography nor would it be integrated into its surroundings by the existing caravans. Notwithstanding its set back from the road, the proposal would be poorly related to its surroundings and it would be visually obtrusive and discordant. It would not make a positive contribution to the sense of place or visual amenity of the small settlement.
8. The appeal site comprises amenity mown grass with generally open boundaries. The agricultural boundary comprises an open post and wire fence with no established hedgerow. While there are scattered shrubs and trees along the Garth Cottage boundary, the existing planting would provide little screening of the proposal. Additional planting might go some way towards softening the appearance of the caravans but, and in the absence of evidence to the contrary such as streetscene plans, it seems unlikely that effective and appropriate landscape screening could be achieved in this elevated location. This is particularly the case because vegetation is temporary and cannot be relied upon to screen proposals from view. Accordingly, I am not satisfied that a landscaping scheme secured by planning condition would be adequate to mitigate the adverse visual effects of the proposal.
9. Therefore, I conclude that the proposal would harm the character and appearance of the area. It would conflict with Policy S32 of Allerdale Local Plan (Part 1) Strategic and Development Management Policies Adopted July 2014 (the LP). This requires, among other things, that proposals maintain or improve the quality of the environment, and that they avoid detrimental effects on the local area in terms of visual amenity and distinctive character.

Living conditions

10. The caravans would be orientated with their long side elevations, including windows, and decking facing towards the Solway Firth. As such, and by virtue of its elevated position above Garth Cottage and its height, the closest caravan would afford views towards the rear of the neighbouring residential property. The caravan would be roughly 21m from the dwelling, such that there would be no close overlooking to habitable room windows. However, the neighbouring occupiers are not currently overlooked and they would perceive this relationship as intrusive. There would in any case be closer and more overt overlooking down and into the neighbours' conservatory and their rear garden. Consequently, the proposal would result in overlooking and loss of privacy to

the residential occupiers of Garth Cottage. Moreover, by virtue of its size, scale, siting and elevation, the proposal would result in a significant increase in development above the boundary of Garth Cottage. The diminished outlook from the rear garden and increased sense of enclosure would contribute to detrimental effects on the neighbours' living conditions.

11. I note the suggestion that the existing vegetation-covered high voltage cabinet will be more prominent in views from Garth Cottage than would the proposal. However, from a distance the cabinet has the appearance of a small shrub and it is not in any case comparable to caravans in terms of its size and scale or its visual impact. It does not provide a justification for the proposal.
12. The caravans would be sited with their end elevations facing towards the principal elevation of Rowanbank. The plans indicate that there would be no facing windows in the caravans, but the main area of decking would extend from the end elevations towards Rowanbank. As the caravans would be located at a higher ground level than the dwelling, and the decking would be raised above ground level, caravan users would overlook Rowanbank and its garden. The caravans would be relatively well separated from Rowanbank, but nevertheless the direct overlooking from the raised open decking would be detrimental to the residential occupiers of Rowanbank.
13. The site plan proposes a hedgerow to the Garth Cottage boundary and planting between the decking areas and the caravan parking areas. Taking into account the elevated land and the change in ground levels, the planting would likely need to be fairly tall to prevent caravan users from overlooking the neighbours in their homes and gardens. However, as noted previously, there would be little guarantee that meaningful screen planting could be secured for the lifetime of the proposal. I accept that privacy screening, which would be more permanent, could be installed around the decking to prevent overlooking. However, in the absence of any details to demonstrate an adequate or acceptable height or form of screen, this is not a matter that could be satisfactorily addressed by the imposition of a planning condition.
14. Therefore, drawing the above together, I conclude that the proposal would harm the living conditions of the neighbouring residential occupiers, with particular regard to overlooking and loss of privacy. It would conflict with the residential amenity aims of LP Policy S32.

Other Considerations

15. The proposal would be an extension to a well-established tourism site. The proposed increase in the number of caravans would benefit the appellant and there would also be wider economic benefits from increased visitor numbers. Taking into account the scale of the proposal, and its surrounding context, the support for the local economy carries limited weight in favour of the proposal.
16. The appeal site is in the setting of Hadrian's Wall World Heritage Site and it is close to the estimated location of Roman milefortlet 13. As ground works, such as the provision of underground services and excavation of parking areas, has the potential to disturb buried archaeological assets, construction works would need to be subject to a programme of archaeological recording and a watching brief. This could be addressed by the imposition of a planning condition, but it weighs neither for nor against the scheme.

17. The appeal site is close to Silloth Dunes & Mawbray Bank SSSI and Upper Solway Flats & Marshes SSSI and Ramsar, designated for natterjack toads. It is also close to Solway Firth SAC and SPA, part of the designation of which relates to birds. Accordingly, Natural England's consultation responses to the Council advise that an ecological appraisal is required prior to determination of the planning application to assess the suitability of the site for natterjack toads and breeding birds from the protected sites. I am not aware of any ecological information addressing the concerns of the statutory consultee and the application was not refused on grounds relating to biodiversity. Nevertheless, I have a statutory duty in this regard. However, as I am dismissing the appeal for other reasons, this is not a matter that I need to consider further.

Conclusion

18. For the reasons set out above, the proposal would harm the character and appearance of the area and it would be detrimental to residential amenity. It would conflict with the development plan and there are no material considerations that would outweigh that conflict.

19. Therefore, I conclude that the appeal should be dismissed.

Sarah Manchester

INSPECTOR