



Appeal Decision

Site visit made on 25 March 2024

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 4th April 2024

Appeal Ref: APP/R3705/W/23/3331166

**Croxall Farm Caravan Site, Hoggrills End Lane, Nether Whitacre,
Warwickshire B46 2DA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Bryan Lewis against the decision of North Warwickshire Borough Council.
 - The application Ref is PAP/2022/0259.
 - The development proposed is the creation of twelve additional motorhome/caravan pitches in former rally field (Pitches 15-26) with eastern and northern extensions to existing access track, additional hedge planting and creation of woodland picnic area.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Nether Whitacre Neighbourhood Plan (January 2024) was adopted by the Council on 8 January 2024. Both main parties have had the opportunity to comment on the implications of this for the appeal and I have taken it into account in coming to my decision.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt, including its effect on the openness of the Green Belt and the purposes of including land within it, having regard to local and national policy;
 - the effect of the proposal on the living conditions of neighbouring occupiers, with particular regard to noise and disturbance; and
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

4. The site falls within land defined as Green Belt. The area surrounding the appeal site is rural with a small number of large, detached properties set within substantial verdant plots, arranged in a linear pattern of development surrounded by fields and woodlands. The appeal site comprises a large grass field associated with Croxall Farm and the existing caravan site, which are towards the south. The wider site is enclosed from the surrounding countryside

by mature hedges with scattered mature trees. There are two public footpaths running adjacent to the site, which based on the evidence submitted are well used.

Whether inappropriate development

5. The National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in paragraphs 154 and 155.
6. These include the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor recreation as well as the material change in use of land (such as changes of use for outdoor recreation), provided the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Policy LP3 of the North Warwickshire Local Plan 2021 (September 2021) (NWLP) accords with the Framework in this regard.
7. The parties agree that the proposal would comprise a material change of use of the land to facilitate for the expansion of the caravan site. The proposal would provide 12 caravan pitches in addition to the existing 14 with associated areas of hardstanding as well as areas for landscaping and picnic benches.
8. Openness is an essential characteristic of the Green Belt that has visual as well as spatial aspects, which can be experienced on different scales. The openness of the Green Belt is clearly evident around the appeal site and the wider area. Whilst the caravans and associated visitors at the site would be transient, with the number of caravans present fluctuating, the facility would be available throughout the year and would be visible despite the existing boundary hedges and crops. Moreover, the volume of development within the site would increase, thereby reducing the openness of the Green Belt.
9. Even though the areas of hardstanding are not in themselves 'alien' to the rural setting, the loop arrangement with individual pitches and the subdivision of the wider field with elements of landscaping would not be typical. Notwithstanding that the areas of hardstanding could be readily restored to open grassland; the proposal would approximately double the amount of land occupied by the caravan site, ultimately encroaching on the Green Belt. Consequently, it would not meet the exceptions as set out in paragraph 154 b) nor 155 e) of the Framework.
10. Considering the above, I conclude that the proposal would be inappropriate development in the Green Belt. It would conflict with Policy LP3 of the NWLP and the associated policies of the Framework which collectively seek to control development within the Green Belt.

Living Conditions – noise and disturbance

11. I note that the existing site has been described as peaceful, quiet, and tranquil and that the only known complaints pertain to noise from rally events. However, it is reasonable to assume that the increased number of caravan pitches would increase the number of vehicles and visitors within the site. As such, there would be an increase in noise generated within the site that would

be out of character within the area. Furthermore, given the rural atmosphere, any additional noise would be more apparent. Whilst the proposed woodland would provide screening, the introduction of a picnic area would encourage the visitors to congregate in this area which is adjacent to neighbouring properties.

12. While the appellant asserts that noisy behaviour would be discouraged and that the picnic area would be subdivided for smaller groups, there is limited physical separation between the appeal site and the properties to the south, particularly The Old House and Thornlea. As such, I am satisfied that given the quiet atmosphere of the area, the additional noise and disturbance would be audible within the neighbouring properties.
13. Accordingly, I conclude that the increase in noise and disturbance generated by the proposal would be harmful to the living conditions of the neighbouring residents. It would conflict with Policy LP29 (9) of the NWLP which requires development to avoid unacceptable impacts upon neighbouring amenities through noise. There would also be conflict with the Framework which seeks to ensure that development creates places with a high standard of amenity for existing and future users.

Other considerations

14. The appeal site forms part of the setting of the adjacent Grade II listed building, The Old House. In so far as is relevant to this appeal, the building derives its significance from its architectural detailing and its rural setting. Due to the separation distance between the appeal site and the proposal and the introduction of additional landscaping elements, I am satisfied that the proposal would not harm the rural setting and hence the significance of The Old House.
15. My attention has been drawn to a number of other local caravan sites, which have a similar or greater number of pitches than the appeal proposal. However, I am not aware of the details of these sites nor their planning history. Nevertheless, each case must be considered on its own merits.
16. I note that the appeal site has been previously used as a grass rally track. Nevertheless, this appears to be on an ad hoc basis with any additional caravans, vehicles and people only being present for a limited period of time. In comparison the appeal proposal would be available throughout the year, with permanent areas of hardstanding, resulting in greater spatial and visual effects.
17. A number of hedges and trees are proposed which would promote biodiversity, benefit air quality and offer some mitigation against climate change. However, I have not been provided with the details of the landscape scheme, nor any indication of the scale of improvements compared to the baseline situation. As such, these improvements carry little weight.
18. The proposal would support a prosperous rural economy through the expansion and diversification of an existing rural business. In addition, it would promote rural tourism which would in turn support other local businesses and services. The increased number of caravan pitches would improve the accessibility of high-quality open spaces, promoting health and wellbeing. The proposal would provide access to the countryside and its many amenities, such as the

expansive network of local public rights of way. I attach considerable positive weight to these matters.

Green Belt Balance and Conclusion

19. The proposed development would be inappropriate development in the Green Belt, which is by definition, harmful. It would result in a loss of openness and encroachment into the Green Belt. Furthermore, it would also be harmful to the living conditions of neighbouring residents. Substantial weight should be given to the harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt is clearly outweighed by other considerations.
20. Given the substantial weight to be given to Green Belt harm, the harm to the Green Belt and other harms are not clearly outweighed by the other considerations and, therefore, the very special circumstances required to justify a grant of planning permission have not been demonstrated. Consequently, the appeal is dismissed.

K Allen

INSPECTOR