



Appeal Decision

Site visit made on 2 July 2024

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2024

Appeal Ref: APP/Y2003/W/24/3340305

Epworth Fields Holiday Park, Newlands Lane, Epworth, North Lincolnshire DN9 1JA

- 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 Lee of Adwick Caravans against the decision of North Lincolnshire Council.
 - The application reference is PA/2022/1536.
 - The development proposed is additional and reconfigured static/lodge pitches, new reception block, new parking bays and new pond (including filling in the existing pond).
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Decision

1. The appeal is allowed and planning permission is granted for additional and reconfigured static/lodge pitches, new reception block, new parking bays and new pond (including filling in the existing pond) at Epworth Fields Holiday Park, Newlands Lane, Epworth, North Lincolnshire, DN9 1JA in accordance with the terms of the application, Ref PA/2022/1536, subject to the conditions in the attached schedule.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was amended in December 2023. I am satisfied that the amendments made have not had a material bearing on how the appeal proposal is considered. References in the decision are to the December 2023 Framework.
3. The description of development on the application form is 'change of use of the land for: additional touring pitches, additional and reconfigured static/lodge pitches, new reception block, new parking bays, fill in existing pond, new pond'. The scheme was amended during the Council's consideration of the application. The Council made its decision on the amended scheme and associated plans. The description of the development proposed in the banner heading is taken from the Council's decision notice and appeal form rather than the application form as it more accurately describes the proposal. I have determined the appeal on this basis.

Main Issue

4. The main issue is the effect of the proposal on the significance of the Isle of Axholme Area of Special Historic Landscape Interest.

Reasons

5. The appeal site lies within the Isle of Axholme Area of Special Historic Landscape Interest (the ASHLI), defined under Policy LC14 of the 2003 adopted North Lincolnshire Local Plan (the Local Plan). The supporting text to the policy states that significant areas of medieval open strip fields and Turbaries together with enclosed land and the overall settlement pattern of the area make it unique in the country. Policy LC14 does not allow for development that would destroy, damage, or adversely affect the character, appearance or setting of the historic landscape, or any of its features.
6. The Council regards the ASHLI to be a non-designated heritage asset of national importance, although the appellant's evidence considers that the studies undertaken would suggest that the ASHLI as a whole is not of national significance, rather this varies across the area with some character types being of local significance and others of national significance. Paragraph 209 of the Framework states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
7. The significance of the ASHLI is derived in part from the pattern of ancient open strip fields (AOSF) which form its historic character core, the enclosures of small irregular fields known as early enclosed land (EEL) surrounding the villages and the overall settlement pattern. Recently enclosed land (REL) is generally the surrounding low-lying lands drained and enclosed for farmland from the seventeenth century, with key characteristics including enclosures with regular straight boundaries, a generally open arable landscape largely devoid of upstanding boundary features, and the open aspect that is characteristic of the ASHLI. The evolution over time of these historic character types and their spatial associations contribute to the significance of the ASHLI.
8. The appeal site sits within an area identified as REL, although it is within proximity to the EEL and AOSF east of Epworth. The site itself does not clearly display the typical characteristics of the REL as it is well enclosed by boundary vegetation, a strong rectilinear character is not clearly discernible due to the new boundaries that have been introduced and it is not in agricultural use. However, it does sit within an open arable landscape which affords relatively long-distance views.
9. The static/lodge pitches proposed for the northern part of the site would be in an area that includes a pond that would be filled in. The character and appearance of this area would change with the introduction of lodges/static caravans. However, they would be well contained within the wider landscape due to the boundary vegetation. The dense planting would, in my view, continue to provide some screening during winter months, notwithstanding that some vegetation would be removed to facilitate the development. This position is supported by the information within the appellant's Landscape and Visual Impact Assessment¹ (LVIA), which was based on site visits undertaken during winter months. Furthermore, the area where the static/lodge pitches would be located is adjoined by existing lodges/caravans to the east and so the additional pitches would not significantly protrude into the countryside.

¹ Landscape and Visual Impact Assessment, prepared by Pegasus Group, February 2024, reference P23-2552.R100v1

10. The other two pitches would be located to the south of the site close to the existing built form of the holiday lets which includes a number of two storey properties, and a neighbouring two storey dwelling. Consequently, they would not be readily visible from outside the site, would be viewed in the context of the nearby built form and would not project outwards into the countryside.
11. The LVIA indicates that the proposed one and a half storey reception building would be visible from outside of the site, including from nearby roads and public rights of way. This tallies with my site visit observations. However, from such vantage points, the proposed building would be close enough to the holiday lets and neighbouring dwelling that it would be seen as part of this cluster of built development. It would not therefore appear as extending the built form into the historic landscape from such vantage points, notwithstanding its height or design. The materials proposed would be consistent with those of the other buildings within the site, and characteristic of the built form within the area.
12. The eastern field where the pond would be relocated to is described by the Council as being a recreational park for visitors to the holiday park, with the Council's officer report highlighting that it has contained picnic tables and caravans which are allowed on the field for 28 days under permitted development rights. This matches the appellant's evidence. The pond would be sited in the southernmost part of this area close to the tall boundary vegetation. It would be low lying and well screened from the surrounding area by the boundary features. Its proposed use would be of a relatively low intensity and would not markedly alter the existing character of the field in which it would be located.
13. Longer distance views towards the site would be of a wide, open landscape. The proposed development would be a small element in such views.
14. The site has a strong sense of containment from the surrounding countryside afforded by the existing boundary features. The proposed development would not be highly visible or intrusive when viewed from the surrounding area including from within the ASOF or EEL character areas to the south and west. The open aspect of the ASHLI would not be affected.
15. For the reasons given, the proposal would not destroy, damage, or adversely affect the character, setting or legibility of the character zones that make up the ASHLI. I therefore conclude that the proposal would not harm the significance of the ASHLI.
16. Consequently, the proposed development would accord with the requirements of Policy LC14 of the Local Plan as summarised above. It would also accord with Policies LC7, RD2 and DS1 of the Local Plan and Policies CS5 and CS6 of the 2011 adopted North Lincolnshire Local Development Framework Core Strategy. Amongst other matters, these policies seek to protect historic landscapes including the ASHLI and require development to respect the character of the local landscape; not be detrimental to the character or appearance of the open countryside; not have an adverse effect on features of acknowledged importance; and be appropriate for their context. There would also be no conflict with the historic environment objectives of the Framework.

Other Matters

17. The location proposed for the two southern most static/lodge pitches would be relatively close to the boundary with Newlands Farmhouse. Depending on the height of the static caravans/lodges or any associated raised decking, I am not persuaded that the boundary fence would be sufficient to prevent overlooking of this neighbouring dwelling and parts of its garden. Such overlooking would be from a relatively close distance, which would be detrimental to the enjoyment of this property by its residents. The appellant is agreeable to a condition that would prevent the use of those two pitches for holiday accommodation. Subject to this condition, I am satisfied that the proposal would not have an unacceptable effect on the living conditions of residents of Newlands Farmhouse with regard to privacy.
18. Given the separation distances between the proposed pond and any dwellings together with the nature of its use and the boundary vegetation, it would not cause harm to the living conditions of nearby residents with respect to noise or outlook.
19. Access to the site would be via the existing entrance and exit onto Newlands Lane, a largely single-track road. The Transport Note² submitted with the application does not identify any issues relating to highway safety and the Highway Authority has not objected to the proposal on grounds of highway safety for any type of road user, subject to a condition requiring the provision of the internal access roads and parking facilities. In the absence of any substantive evidence to the contrary, I have no reason to conclude that the proposal would have an unacceptable impact on highway safety.
20. Broad Lane Farm and Newland Cottage are dwellings located on Newlands Lane. Broad Lane Farm is set reasonably well back from the road. Newland Cottage sits closer to the road. The appellant's Transport Note has estimated vehicle trip rates per unit. While the additional units proposed would change the number of vehicles passing these dwellings, the number of vehicle movements generated would not significantly compromise residents' enjoyment of their dwellings or the living conditions that the residents of these properties could reasonably expect to enjoy.
21. Appropriate measures can be put in place to manage surface water and drainage. The mitigation measures identified in the appellant's flood risk assessment, which could be secured by a planning condition, would ensure that flood risk is appropriately managed.
22. There is no substantive evidence to suggest that noise or anti-social behaviour is an issue at the site. While noting the concerns that the lodges/static caravans would be used as permanent dwellings, planning conditions could restrict their occupancy to holiday use only.
23. My attention has not been drawn to any development plan policy that requires a demonstration of need for the development. Additionally, the submitted evidence illustrates that the holiday park is an established rural business, and the proposal would represent an expansion of this.
24. I note the concern that the appeal proposal, if permitted, would set a precedent for other new buildings on existing sites in the area. However, there

² Prepared by Local Transport Projects, October 2022

is no clear evidence before me to indicate that there is a likelihood of this happening. I have considered this appeal on its individual planning merits and any future proposals would have to be considered in a similar way.

25. None of these other matters alters or outweighs my conclusion on the acceptability of the proposal.

Conditions

26. I have considered the conditions suggested by the Council, having regard to the six tests set out in the Framework. I have amended the wording of certain conditions in the interests of precision, without altering their fundamental aims.
27. As well as the standard time condition, and for certainty, one is required to ensure that the development is carried out in accordance with the approved plans.
28. In the interests of the character and appearance of the area, details of the siting, design and external appearance of the lodges/static caravans is necessary. In the interests of flood risk, conditions are necessary to secure surface water drainage and foul sewage disposal details and their implementation. These details are required pre-commencement as a later trigger for the submission would limit the effectiveness or the scope of measures which could be used.
29. In the interests of the living conditions of nearby residents, conditions are necessary to prevent the use of the two southern pitches for holiday accommodation and to secure an alternative location for the waste bins. To conserve and enhance biodiversity, conditions are necessary to secure a biodiversity management plan and to ensure that the development is carried out in accordance with appropriate ecological mitigation measures. To reduce the risk of flooding, a condition is necessary to secure appropriate mitigation measures. In the interests of human health, a condition is necessary to address the potential for contamination. A condition is necessary to secure the internal access roads and parking areas in the interests of highway safety. In the interests of the character and appearance of the area a condition is necessary to limit the number of static/lodge pitches.
30. Given the countryside location, conditions are necessary to limit the occupation of the static caravans/lodges to holiday purposes only, to limit the time period for occupation and require a logbook of such details, and to ensure that the reception block is only used in support of the tourism use at the site.

Conclusion

31. The proposal would accord with the development plan as a whole, and there are no material considerations of sufficient weight to indicate that permission should be withheld. I therefore conclude that the appeal should be allowed.

F Wilkinson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos. NLEF 001 (Existing Site Plan); NLEF 009 (Proposed Site Plan); NLEF 012 (Proposed Plan & Landscape); NLEF 013 (Reception Block Dormer); Materials for Reception Building October 2022.
- 3) Notwithstanding condition 2, the two pitches shown green on plan NLEF 009A dated JUL/24 shall be omitted from the development and shall not at any time be occupied by any form of holiday accommodation.
- 4) Prior to the commencement of development, plans relating to the siting, design and external appearance of the lodges/static caravans shall be submitted to and approved in writing by the local planning authority and shall be carried out as approved.
- 5) Prior to the commencement of development, a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. This must be based upon the submitted Flood Risk Assessment, ref 2022/2923, Final Report RevC January 2023, prepared by EWE Associates Ltd.

The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in a 100-year critical storm (including an allowance for climate change, which should be based on current national guidance) will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime so that flood risk, both on and off the site, is not increased. SuDS must be fully considered in accordance with current Planning Practice Guidance. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above-ground solutions.

- 6) The surface water drainage scheme shall be implemented in accordance with the approved details required by condition 5 above, completed prior to the occupation of any lodge/static caravan within each phase or sub-phase of the development on site, and thereafter retained and maintained in accordance with the scheme for the life of the development.
- 7) Prior to the commencement of development, details of the disposal of foul sewage from the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and retained thereafter for the life of the development.

- 8) Within three months of the commencement of development, a biodiversity management plan shall be submitted to and approved in writing by the local planning authority. The plan shall include:
- details of bat roosting features to be installed in retained trees;
 - details of nesting sites to be installed to support a variety of woodland and farmland bird species;
 - restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
 - prescriptions for the planting and aftercare of native trees, shrubs and hedgerows of high biodiversity value;
 - proposals for grassland sward enhancement and management;
 - details of the pond and wetland habitat to be created;
 - details to confirm that the measures proposed will provide a measurable net gain in biodiversity value of at least 10% in accordance with the relevant biodiversity metric;
 - proposed timings for the above works.

The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter. Prior to the completion of the development hereby permitted, a report shall be submitted to the local planning authority providing evidence of compliance with the biodiversity management plan.

- 9) Prior to the development hereby permitted first being brought into use, a scheme for the relocation of the bin store, which shall include details of its location and any screening measures, shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and retained thereafter for the life of the development.
- 10) Works shall be carried out in accordance with the recommendations in sections 5.2.2 to 5.6.2 of the Preliminary Ecological Appraisal prepared by CGC Ecology, dated 30 June 2022.
- 11) The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref 2022/2923, Final Report RevC January 2023, compiled by EWE Associates Ltd) and the following mitigation measures details:
- Finished floor levels of the statics/lodges shall be set no lower than 3.1 metres Above Ordnance Datum (AOD).
 - The lodges/static caravans shall be securely anchored to the ground.
 - Finished floor levels of the reception block shall be set no lower than 2.5m AOD.
 - The reception block shall have a first-floor safe refuge which will have finished floor levels set no lower than 4.1m AOD.

These measures shall be fully implemented prior to the reception block first coming into use and in the case of the lodges/static caravans, prior to their first occupation. The measures shall be subsequently retained and maintained thereafter throughout the lifetime of the development.

- 12) If during development any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further works shall be carried out until a written method statement, detailing how this

contamination shall be dealt with, has been submitted to and approved in writing by the local planning authority. The approved method statement shall be implemented in full prior to works re-commencing on the site.

- 13) No static/lodge pitches shall be brought into use until the internal access roads and parking facilities serving them have been provided. Once provided these facilities shall be retained thereafter.
- 14) No more than 15 additional lodges/static caravans are permitted on the site.
- 15) The lodges/static caravans permitted on the site shall be occupied for holiday purposes only and not as a person's sole or main place of residence. An up-to-date register of all occupiers on the site (including details of their home address) shall be maintained and this information shall be made available at all reasonable times to the local planning authority.
- 16) The use of the site shall be for short-term use only and no lodge/static caravan shall be occupied on the site for more than 28 consecutive days in any 12 months. A logbook recording full details of the occupation (including dates and length of time of each occupation) of each lodge/static caravan shall be maintained and this information shall be made available at all reasonable times to the local planning authority.
- 17) The reception block/building shall remain ancillary to the main use of the site as a holiday park at all times and not occupied as a separate planning unit.