

# Appeal Decision

Site visit made on 16 September 2024

**by Hannah Ellison BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 4<sup>th</sup> October 2024**

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**Appeal Ref: APP/R0660/W/24/3343259**

**Elm Beds Caravan Park, Elm Beds Road, Poynton SK12 1TG**

- 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 Ms E Myers (Elm Beds Caravan Park) against the decision of Cheshire East Council.
  - The application Ref is 22/3680M.
  - The development proposed is the change of use from class A (to include camping and touring caravans) to mixed use A & C (to include camping, touring and static caravans).
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## Decision

1. The appeal is dismissed.

## Preliminary Matter

2. Notwithstanding the detail shown on the proposed site plan, the appellant has confirmed through this appeal that the proposed development relates to the provision of 3 static pitches within part of the existing caravan and camping park which is currently used for the siting of motorhomes, touring caravans and tents. I have proceeded accordingly.

## Main Issues

3. The main issues are:
  - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
  - the effect of the proposal on the openness and purposes of the Green Belt;
  - the effect of the proposal on the character and appearance of the area;
  - whether the site represents a suitable location for the proposal;
  - the effect of the proposal on highway safety; and
  - if the proposal is inappropriate development, whether the 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

### *Whether inappropriate development*

4. The appeal site is located within the Green Belt. The Framework notes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. As a caravan is not a building, the proposal does not fall to be assessed under paragraph 154 of the Framework.
5. Paragraph 155 of the Framework notes certain other forms of development as not inappropriate however the appeal proposal does not meet any of the exceptions within this paragraph. Policy PG3 of the Cheshire East Local Plan Strategy 2010-2030 (July 2017) (the CELPS) also does not include any relevant exception. The appellant has not suggested that the appeal proposal meets any other exception. Accordingly, I find that the proposal constitutes inappropriate development in the Green Belt.

### *Openness and purposes*

6. Paragraph 142 of the Framework states that a fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. When applying the concept of openness to the particular facts of a case, a number of factors are capable of being relevant. For the purposes of this appeal, I have considered both the visual and spatial aspects of openness.
7. The proposal would result in the year-round siting of three static caravans in part of the caravan park which currently serves touring caravans and tents. Even if the existing arrangement may allow for a greater total number of touring caravans and tents on this parcel of land than would result from the appeal proposal, they would be seasonal features. There may also be times during the year when the caravan park is open that this parcel of land is not fully occupied by touring caravans and tents, particularly during times of inclement weather. As such, when considering the year-round conditions, the appeal proposal would have a greater impact on the spatial aspect of openness than is currently the case.
8. The site benefits from screening along its boundary with the adjacent canal and towpath. Due to seasonal changes and the typical size of static caravans however, there may be times of the year when views of the appeal proposal could be achieved from public vantage points.
9. Whilst it has been suggested that one static pitch would take the place of 2 touring caravans or 3 tents, there would however be greater gaps and separation between the latter, whereas a single static caravan would have a bulkier presence. Furthermore, even if some motorhomes may be larger than a static caravan, they would not be there throughout the year as noted above. I therefore consider that the proposal would also have a greater impact on the visual aspect of openness when compared to the existing arrangement.
10. Paragraph 143 of the Framework sets out the five purposes of the Green Belt. The proposal would not extend the caravan site further into the open countryside thus it would not represent encroachment of development into the countryside.

11. Taking all the above into consideration, the proposal would result in harm to the openness of the Green Belt. Given the scale of the development I find that the overall degree of harm would be moderate.

*Character and appearance*

12. The caravan park is nestled in a leafy locality in the countryside. To the east of the site is the canal, with fields rising beyond it. This area adjacent to the appeal site falls within the Macclesfield Canal Conservation Area (the CA). I do not have a conservation area appraisal before me however it seems to me that the significance of the CA is derived from its historic, architectural and scenic qualities.
13. The appeal site is within the setting of the CA and currently makes a positive contribution to its significance by reason of its largely undeveloped nature. Overall, the site reflects the tranquil and rural surroundings in which the CA is experienced.
14. Whilst the parcel of land on which the proposed static caravans would be sited currently provides space for touring caravans and tents, static caravans tend to be of a greater bulk, mass, and height and are year-round features whereas touring caravans and tents are transient in nature and would predominantly be seasonal additions to the site. As such, the proposal would result in an intensification and urbanisation of this parcel of land, most notably in winter months when pitches would typically be vacant.
15. The mature stretch of hedging along the eastern boundary of the site may screen some views of the proposal from public vantage point however I am not convinced that it would be sufficient year-round to prevent all views. By virtue of all of the above, the appeal proposal would noticeably erode the predominant rural and verdant qualities of the locality. It would therefore undermine the contribution of the undeveloped site to the significance of the CA.
16. The appellant has suggested that wooden lodge style static caravans could be provided if such a design was more desirable. I do not have any further details before me. Nevertheless, I am not convinced that an external finish which is alternative to a typical static caravan would address concerns over their overall size and positioning.
17. I note the other examples of static caravans, lodges and touring caravans adjacent to the canal in the locality however there is very limited detail before me thus I cannot ascertain their history and whether or not they have planning permission. They do not therefore serve to justify the appeal proposal.
18. Under the terms of the Framework, I find that the harm to the setting of the CA would be less than substantial in this case. Paragraph 208 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
19. The proposal would provide a different type of tourist accommodation on this part of the caravan park and subsequent economic benefits may arise from

this provision. However, the level of detail on the demand and occupancy levels of the existing and proposed type of accommodation at the appeal site is lacking thus I cannot accurately ascertain the level of growth in tourism which would result above the existing arrangement. I can therefore afford no more than limited weight to the benefits of the proposal, which would not be sufficient to outweigh the harm to the setting of the CA.

20. For the reasons given above, I find that the proposal would harm the character and appearance of the area including the CA and thus it fails to accord with policies SE1, SD2 and SE4 of the CELPS and policies HER3, GEN1, RUR8 and RUR9 of the SADPD. Together, whilst varying slightly in their wording, these policies seek to ensure that developments are of a sensitive design which respects and preserves the character and appearance of the area and the wider landscape, including heritage assets.
21. Policies EGB6 and EGB15 of the Poynton-with-Worth Neighbourhood Plan 2016-2030 (September 2019) are referred to within the Councils third reason for refusal however they are not of direct relevance to this main issue.

#### *Whether suitable location*

22. The appeal site is located within the open countryside. Policy PG6 of the CELPS restricts development in the open countryside subject to a number of exceptions. One such exception is for development that is essential for the expansion or redevelopment of an existing business.
23. The appeal proposal would increase the number of static caravan pitches available on the wider caravan site. The appellant states that the flexibility of the proposed use would help modernise and expand their small business, especially in unsure financial times. Whilst the proposal may provide more options of accommodation type for customers, very limited information is before me which allows me to ascertain that the provision of static pitches on this part of the site is essential for the expansion of the business.
24. Policy EG2 of the CELPS and Policy RUR8 of the SADPD provide support for the extension of rural based tourist attractions, visitor facilities/accommodation and recreation uses. However, this is subject to the proposal not resulting in conflict with policies PG3, PG6 and SE4 of the CELPS, amongst other things. I have already found that the proposal would be inappropriate development in the Green Belt and would harm the character and appearance of the area.
25. Accordingly, the appeal site does not represent a suitable location for the proposed development and thus it conflicts with policies PG6 and EG2 of the CELPS whose aim is to ensure developments are appropriate for their location.
26. Policy RUR2 of the SADPD is referred to within the Council's second reason for refusal however this concerns proposals for the diversification of agricultural businesses.

#### *Highway impacts*

27. The Council was concerned that as information regarding the existing and proposed layout was not provided it was not possible to fully assess the potential highway impacts of the proposal.

28. I was able to observe the existing layout at the time of my site visit. I acknowledge that the precise layout of the resultant pitches which would be available for touring caravans and tents, as well as parking spaces on this parcel of land, has not been provided. It is not uncommon for touring caravans and tents to be positioned in a somewhat ad hoc manner on grass field sites and the limited space available in this instance significantly reduces the maximum numbers which could be accommodated. Moreover, there is nothing before me to suggest that a more formal layout could not be satisfactorily achieved. Such matters could be appropriately controlled via conditions.
29. Additionally, the appellant has confirmed that each static pitch proposed would take the place of two touring caravans or three tents. As a result, I consider it likely that overall comings and goings at the caravan park would be reduced.
30. Consequently, the proposal would not result in harm to highway safety and thus complies with Policy SD1 of the CELPS and Policy INF3 of the SADPD which aim to ensure safe access is provided to and from the site and that sufficient car parking and safe internal movement is achieved within the development.

*Other considerations*

31. As noted, the proposal would increase the provision of static caravan pitches at the caravan park, thus providing an alternative type of tourist accommodation on this part of the site. It would however reduce the number of touring caravan and tent pitches. There is no evidence before me on the demand and occupancy levels for each type of accommodation thus I cannot accurately ascertain what level of economic benefits would arise from the appeal proposal. The benefits to the appellant's existing business are therefore also unclear. As such, I can afford these matters no more than limited weight in favour of the appeal proposal.

*Whether very special circumstances exist*

32. The Framework makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 of the Framework states that substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations.
33. I have concluded that the proposal would be inappropriate development in the Green Belt and would cause moderate harm to its openness. As required, these are matters to which I give substantial weight. Additionally, I have identified that the proposal would harm the character and appearance of the area and would not represent a suitable location. Together these matters weigh very heavily against the proposal.
34. The other considerations advanced in support of the appeal do not therefore clearly outweigh the harm I have identified. Consequently, the very special circumstances necessary to justify the proposal do not exist thus it would be

contrary to the approach to developments in the Green Belt as set out in Policy PG3 of the CELPS and the Framework.

### **Other Matters**

35. Concerns over the effect of the proposal on the living conditions of neighbouring occupiers are raised within the Council's officer report however they do not form a reason for refusal. As I am dismissing this appeal for other reasons there is no need for me to consider this matter further.
36. The concerns regarding the Council's handling of the planning application are not a matter for me within the context of this appeal, which I have determined on its own merits.

### **Conclusion**

37. The proposal conflicts with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and that warrant a decision other than in accordance with the development plan. Therefore, the appeal should be dismissed.

*H Ellison*

INSPECTOR