



Appeal Decision

Site visit made on 18 February 2025

by **Stephen Normington BSc, DipTP, MRICS, MRTPI, FIHE, FIQ**

an Inspector appointed by the Secretary of State

Decision date: 4 March 2025

Appeal Ref: APP/E2530/W/24/3354075

Fifth Drove Farm, South Fen Road, Bourne PE10 0DN

- 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 Mrs Jin Haung against the decision of South Kesteven District Council.
 - The application Ref is S23/1525.
 - The development proposed is a retrospective application for static caravan on site (barn was granted permission S15/1512/FULL in 2015).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit, it was clear that the development proposed in the planning application, the subject of this appeal, had been completed. The Council dealt with the application as being retrospective. I have no evidence to suggest that the siting of the static caravan has been otherwise undertaken than in accordance with the submitted plans. I have therefore determined this appeal on the basis of the plans considered by the Council.

Main Issues

3. The main issues are:
 - Whether the development is appropriately located, taking into account the Council's spatial strategy for development within the open countryside.
 - Whether sufficient information has been provided to adequately demonstrate that the proposed development would have an acceptable level of flood risk.

Reasons

Appropriate development

4. The static caravan is located within a central position on a rectangular plot located to the north of South Fen Road and lying within the open countryside. An intervening field separates the site from the road. A substantial mature hedge provides considerable screening from the road and surrounding area. Consequently, views of the caravan are only readily attainable from the access gates to the site.
5. A barn/equipment store occupies the southern edge of the site. At the time of my site visit I observed that a number of vehicles and a touring caravan were stored

on the site and goats were being kept. However, it was difficult to determine, with any degree of certainty, the nature of any agricultural operations undertaken on, or associated with, the site.

6. The Council's approach to the consideration of development in the open countryside is set out in Policy SP5 of the South Kesteven District Council Local Plan 2011- 2036 (the Local Plan). This policy identifies that development in the open countryside will be limited to that which has an essential need to be located outside of the existing built form of the settlement. It identifies that in such instances several types of development will be supported. Amongst other things, these include agriculture, forestry or equine development.
7. The Appellant indicates that the static caravan would not be used for residential purposes but would be used as a staff room during working hours and provide essential staff facilities for rest periods, meal breaks, and administrative tasks. It would also provide security benefits to rural crime by acting as a visual deterrent and its use would contribute to the efficient management of the agricultural activities on the property.
8. I accept that the static caravan cannot be seen from public vantage points and, in the context of the current appearance of the site, it causes no harm to the character and appearance of the area. However, the relevant parts of Policy SP5 are quite clear in that development in the open countryside will be supported for agriculture, forestry or equine purposes. In this case, I have no evidence before me to indicate the extent to which any of these uses occur on the site or are associated with it. Nor do I have any other compelling evidence to suggest that there is a clear functional need for the static caravan to support such uses.
9. Taking into account the above, there is no compelling evidence to support an essential need for the permanent stationing of the caravan. I am not persuaded that the outlined security benefits outweigh the clear conflict with the development plan regarding the types of development that are appropriate in the open countryside. Consequently, the proposed development is contrary to the provisions of Policy SP5 of the Local Plan.

Flood risk

10. The Council indicates that the appeal site is partly located in Flood Zones 2 and 3 which are defined as areas having a medium and high risk of flooding respectively. Policy EN5 of the Local Plan and Section 14 of the National Planning Policy Framework (the Framework) set out that a sequential risk-based approach should be taken to individual applications in areas known to be at risk now or in the future from any form of flooding. Development should be located in areas with a lower risk of flooding.
11. Policy EN5 of the Local Plan and footnote 63 of the Framework indicate that a Flood Risk Assessment (FRA) will be required for all development in Flood Zones 2 and 3. In this case, I have no evidence of a FRA or any sequential assessment.
12. I recognise that the Environment Agency (EA) raised no objections to the siting of the static caravan subject to its use only as a staff room during working hours and not for the purposes of sleeping accommodation. However, the matter of flood risk is neither addressed in the planning application nor as part of the appeal

submission. I have no evidence before me to suggest that the static caravan is incapable of being sited elsewhere in a lower flood area.

13. Notwithstanding the views of the EA, the fact remains that the development plan and the Framework identify that a FRA should be provided. In the absence of such information, I have no alternative but to conclude that the development would be contrary to Policy EN5 of the Local Plan.

Conclusion

14. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be dismissed.

Stephen Normington

INSPECTOR

