



Appeal Decision

Site visit made on 5 February 2025

by **J D Clark BA (Hons) DpTRP MCD DMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 March 2025

Appeal Ref: APP/A2335/W/24/3350816

Capernwray House, Hobsons Lane, Capernwray, Lancashire LA6 1AE

- 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 M Smith against the decision of Lancaster City Council.
 - The application Ref is 24/00034/FUL.
 - The development proposed is change of use of land for siting of 6 lodges and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The decision notice describes the proposed development as the change of use of agricultural land to site six holiday lodges with associated hardstanding and internal access road, installation of a package treatment plant and drainage infrastructure. This is a fuller description of the proposal than on the application form and consistent with the details submitted and so my assessment is based on this fuller description.
3. A revised version of the National Planning Policy Framework (the Framework) was published in December 2024 and is a material consideration in this appeal. Having considered the revisions to the Framework, as well as the principles of natural justice, together with the nature of the determining issues in this appeal it is clear to me that there are no material changes in the revised Framework relevant to the substance of this appeal. Therefore, I do not consider it necessary, in this instance, to invite any submissions from the parties on the revised Framework.

Main Issues

4. The main issues are: -
 - whether the location of the site is suitable for holiday lodges having regard to the development plan; and
 - the effect of the proposal on the character and appearance of the surrounding area.

Reasons

Location

5. The appellant runs an existing Bed & Breakfast (B&B) at Capernwray House and the proposal is intended as an extension of that business by providing six holiday

lodges. Local Plan¹ Policy DM52 indicates that proposals for new static and touring caravan sites or extensions to an existing site and including chalets, camping pods and log cabins, will be supported in principle subject to a set of criteria. Firstly, these give priority to previously developed site. In the case of greenfield sites, it should be demonstrated that no alternative brownfield sites exist in the locality. Further criteria require development to have no adverse impact on the landscape character or the visual amenity of the area.

6. In accordance with Policy DM52, the appellant carried out a search for alternative sites within a 1 mile radius of Capernwray House. This limited distance was due to the intention to run the lodges in association with the existing business and therefore a functional link would be necessary for customer support, maintenance etc. The search failed to reveal alternative brownfield land.
7. The application site includes all the land in the appellant's ownership and the existing access would serve both the proposed lodges and Capernwray House. The intention is that all visitors would check in at Capernwray House. The land has historically been used in association with the existing business for recreation and amenity purposes, firstly in conjunction with Capernwray House Caravan and Camp Site² and following the sale of the camp site in 2006, more latterly in conjunction with the B&B at Capernwray House. The appellant explains that as well as being used for playing sports and walking dogs it has also intermittently been used by neighbouring farmers to graze sheep.
8. The appeal site is an open area of land and despite the appellant's intention to run the lodges as an extension to the B&B accommodation at Capernwray House, it would extend that business onto a greenfield site. The main parties agree that the site is not a sustainable one but the appellant qualifies this by pointing out that a large part of the district is rural and many parts of it could be considered unsustainable.
9. Notwithstanding that preference will be given to previously developed land and the conversion and re-use of existing rural buildings. Local Plan Policy DM47 supports, in principle, proposals for economic development within rural areas where it is demonstrated that they improve the sustainability of rural communities by bringing local economic, environmental and community benefits. Whilst I appreciate the appellant's intention to extend the business into the appeal site, due to its proximity to the existing B&B, little evidence has been submitted that this will bring local economic, social or community benefits. For example, little evidence has been submitted to clarify the business in terms of identifying the business aims, objectives, future plans, actual operation etc.
10. The emphasis of both Policies DM52 and DM47 is to encourage rural economic development in sustainable locations. Policy DM60 seeks to ensure that development proposals are located where sustainable travel patterns can be achieved. These are consistent with the aims of the Framework. However, the proposal would conflict with these policies and therefore the location of the site is not suitable for holiday lodges having regard to the development plan.

¹ A Local Plan for Lancaster District 2011-2031 Part Two: Review of the Development Management DPD Adopted Version July 2020.

² Now described in the appellant's Planning Design & Access Statement as The Glade Caravan Park located to the north and east of the appeal site.

Character and Appearance

11. The appeal site includes Capernwray House, Warren Cottage and a substantial area of open land to the north of Capernwray House. The holiday lodges, internal access road and landscaping would be located within this open area of land. Boron Lane runs along the north and western boundary of the appeal site and from here the land visibly rises in levels. This topography and open appearance of the site mean that it is very prominent from some viewpoints. A Landscape Visual Impact Assessment (LVIA) has been submitted which describes the surrounding landscape as composing of rolling fields created by glacial activity with drumlins of varying heights and steepness.
12. The holiday lodges and access road would be sited at the western section of the site where the land is lower in level before rising quite steeply. No development is intended on the more elevated section to the east/south-east. The LVIA provides a detailed analysis from various viewpoints and I accept that from some of these the site and the proposed development would, at worst, be only partially viewed with glimpses lessened by the use of a muted palette of construction materials and soft landscaping. Notwithstanding the conclusions in the LVIA, even these limited views would have an adverse impact compared to the openness of the site as it appears now. Also, even though the lodges would not be sited at the highest level of the site, they would still be very visible from Borron Lane and soft landscaping would need to be relied upon to lessen this. According to the LVIA this could take up to 15 years to mature.
13. Although the landscape is characterised by rolling drumlins and agricultural land interspersed with settlements and there is a notable presence of caravan parks in the area, the appeal site is open and undeveloped. Due to the topography of the site, its location and scale, the development would have a harmful impact on the character and appearance of the surrounding area. This would conflict with Local Plan Policies DM29, DM46, DM52 and Local Plan³ Policy EN3 and the Framework which collectively seek to protect open countryside and the character of the surrounding landscape.

Conclusion

14. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Consequently, the appeal should be dismissed.

J D Clark

INSPECTOR

³ A Local Plan for Lancaster District 2011-2031 Part One; Strategic Policies and Land Allocations DPD Adopted Version July 2020.