



Appeal Decision

Hearing held on 19 February 2025

Site visits made on 29 January 2025 and 19 February 2025

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 March 2025

Appeal Ref: APP/H0520/W/24/3352262

Fenside Caravan Park, Puddock Road, Warboys, Huntingdon, PE28 2TX

- 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 Fenside Leisure Limited against the decision of Huntingdonshire District Council.
 - The application Ref is 24/00464/FUL.
 - The development proposed is described as change of use of a touring caravan site comprising 16no. pitches to a mixed touring and caravan park comprising 16no. pitches (6no. shepherds huts, and 7no. static caravan and 3no. touring pitches) and extension of seasonal opening times (11 months) (pursuant to refusal 22/01755/FUL).
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Decision

1. The appeal is allowed, and planning permission is granted for use of land as a caravan and camping park at Fenside Caravan Park, Puddock Road, Warboys Huntingdon, PE28 2TX, in accordance with the terms of the application, Ref 24/00464/FUL, and subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The application form did not include the full address of the site. I have added the district, and the postcode, which has been agreed as correct by the main parties, for completeness and to assist with site identification.
3. The description of development on the application form is that set out in the banner heading above. Following discussions at the hearing it was agreed by the main parties that should I be minded to allow the appeal, the description in my decision could be made more concise, and that any necessary controls relating to the type, number and occupation of caravans, and any site opening times, could be dealt with by conditions. I have therefore amended the description in my decision accordingly.
4. As the development is for the use of land and not any operational development, I have treated the block plan and shepherd hut plans as being for illustrative purposes only.
5. During the appeal process, additional information was submitted by the appellant in response to the Council's statement of case and new consultation responses. This additional information did not amend the proposal, and the Council had the opportunity to consider it prior to the hearing. Having assessed the additional information submitted by the appellant, the Council advised that some of its concerns had been satisfactorily addressed, and as a result, it would no longer be defending the reasons for refusal numbered 2 and 4 in its decision notice.

Main Issues

6. The site already has planning permission for use as a camping and touring caravan site. The main issues are therefore:
 - i) whether the proposal would amount to a new or expanded tourism use, and if so whether it would be acceptable in terms of its location in the countryside, and viable in the long term; and
 - ii) the effect of stationing a mix of caravan types on the site, most of which would remain on the site all year round, and opening the site for 11 months each year, on the character and appearance of the countryside.

Reasons

Location

7. The site comprises an existing established caravan site, which is located in the countryside, approximately 700 metres from the built-up edge of Warboys. I was advised at the hearing that Warboys is defined by Huntingdonshire's Local Plan to 2036 (local plan) as a key settlement comprising a good range of services and facilities.
8. Although the existing planning permission does not include a condition restricting it to touring caravans, it does restrict the maximum number of caravans stationed on the site at anyone time to 16. It also requires that no caravan, other than that occupied by the manager, shall remain on the site for more than 14 days per year, and that no caravan, including that occupied by the manager, shall remain on site between 1 October and 31 March. Whilst an earlier planning permission was granted that amended the opening season to 8 months per year (1 March to 31 October), the evidence before me suggests that this was not implemented.
9. It is proposed to continue using the site as a caravan park, but a new and less restrictive planning permission for this use is sought, which would allow for the stationing of a mix of caravan types, all falling within the definition of a caravan as set out in the Caravan Sites Act 1968 (as amended), including up to 7 static caravans and up to 6 shepherd huts, in addition to touring caravans, camper vans, motor homes and tents. It is proposed that the caravans would be able to be stationed on the land all year round and would be available for use 11 months per year.
10. Neither the size of the site or the maximum number of caravans to be stationed on it at any one time would be increased. However, relaxing the current restrictions would increase the type and size of accommodation the site has to offer, as well as increasing the opening season, which would in turn intensify the use of the land. This would in my view amount to an expansion of the existing business use.
11. Policy LP19 of the local plan relates to rural economy and states that proposals for the expansion of an established business within its existing operational site will be supported. Policy LP23 relates specifically to tourism and recreation and again supports new or expanded tourism use in the countryside, subject to numerous criteria. The criteria relating to the visual effects of the development on the site and its surrounding landscape are considered separately. It is not disputed that subject to conditions, the proposal would comply with criteria relating to effects on

heritage, ecology, designated sites and services, and that the unauthorised residential occupation of caravans on the site could be prevented.

12. Criteria A of Policy LP23 requires tourism proposals in the countryside to be well related to defined settlements unless there are robust operational or sustainability reasons why it needs to be located elsewhere. In this case the site is only a short distance from a key settlement, its use as a caravan park has already been accepted through the granting of numerous previous planning permissions, and the use has been operating for many years. Furthermore, Policy LP23 accepts that such uses will be in the countryside, in rural areas. The current use of the site as a touring caravan park already necessitates access by car, and it is likely that this would continue to be the case for most customers, even those staying in caravans that would remain stationed on the site. However, car journeys to access nearby shops, pubs and restaurants in Warboys and tourist attractions such as golf, fishing, horse riding and wildlife sites, would not be long. It would also be possible to access some of these on foot or by bicycle, given that the surrounding road network is relatively quiet and there are public rights of way nearby.
13. Even if I was to consider that the site was not well related to the nearby settlement of Warboys, the established use of the site, with its existing access, hard standings, amenity block and services, would amount to the robust operational and sustainability reasons necessary for the expansion of the business to remain within the confines of the existing established caravan park site.
14. Policy LP23 of the local plan also states that proposals for tourist accommodation, including caravan and camping sites, should be supported by a robust business plan demonstrating that it is viable in the long term. Whilst I would agree with the appellant that this requirement appears more relevant to new caravan sites, or proposals that would increase the size of the site or number of caravan pitches, I have nevertheless been provided with a business plan for the proposed changes, together with other evidence, which explains how the provision of static caravans and shepherd huts, which could be used for up to 11 months per year, would attract a greater number of customers and generate increased income.
15. Based upon the evidence before me, I have no reason to doubt that the proposed changes to the established caravan park would make it more profitable and viable. Whilst I acknowledge the limited evidence of existing booking records and demand for the existing use of the site to be extended into the winter period, what is currently on offer is only available to those people that are comfortable towing or driving their own (or a rental) caravan or motorhome to and from the site, and potentially having to rely upon using the shared facilities in the onsite communal toilet, shower and washing up area. The proposed static caravans and shepherd huts would be provided on site and would be connected to waste water facilities that can be used without customers having to clean or empty them or rely upon using shared communal facilities elsewhere on the site. This more convenient form of caravan holiday would attract different and/or additional customers to those wanting to visit and set up their own touring caravans, motorhomes or tents on the site.
16. In the unlikely event that the new business proposals were not viable, any financial assets such as the static caravans and shepherd huts would be likely to be reduced in number or sold altogether, returning the site to more or less its existing condition. The new business proposals potentially being unviable would not

therefore result in any harm to the countryside, or to the loss or development of a currently undeveloped site within it.

17. I therefore conclude that in principle, the proposed expanded tourism use would be acceptable in terms of its location in the countryside, and viable in the long term, and as such would accord with Policies LP19 and LP23 of the local plan. These policies support the expansion of existing rural businesses in the countryside that are within the confines of an existing operational site, where the expansion needs to be located for operational and sustainability reasons. The proposal would also accord with the National Planning Policy Framework (the Framework), which encourages the growth and expansion of all types of business in rural areas and recognises that these might be beyond settlements and in locations not well served by public transport.

Character and appearance

18. Under the existing planning permission, touring caravans come and go from the site, are only permitted to stay for up to 14 days, and are only permitted to stay over the 6 summer months of April to September. The Council's key concern is that caravans being stationed on the site all year round, and available for use for up to 11 months per year, would intensify the use of the site and would appear more visually prominent, particularly during winter months when the existing boundary landscape screening is less effective and particularly if the existing hedgerow is cut back to improve visibility.
19. The site is roughly triangular in shape and is bound by roads on all three sides. Existing boundary hedges, of mixed native species, provide a relatively high degree of screening due to their height and density, even in the winter months. Whilst it is fair to say that some caravans are and would continue to be visible in close-up views, such as through the access and exit points, from over the brick wall at the top of the railway bridge and through some gaps in the hedgerow, these views are very limited. Despite being in the countryside, the site is not in a particularly visually sensitive or prominent position, and it was agreed at the hearing that the site is not visible in any long-distance views.
20. I acknowledge that static caravans are generally larger than the average touring caravan or motorhome. However, these would be limited in number, and the illustrative block plan submitted with the application is based upon smaller static caravans, measuring approximately 8534mm x 3000mm. The size of the statics and any decking would also be somewhat constrained by the size, shape and layout of the site, and the need to comply with caravan site licence safety requirements. It was agreed at the hearing that if larger or twin unit caravans were to be stationed on the land, this would be likely to result in a reduction in the overall number that could be accommodated.
21. Shepherd hut caravans are generally smaller than traditional style static caravans and more rural in appearance. The submitted illustrative details of the type of shepherd huts proposed, show units measuring approximately 5880mm x 2579mm, and that are similar in appearance to old train carriages. This is intended to reflect the history of the site, which was formerly crossed by railway lines, and the old railway bridge that still exists on the site boundary.

22. The appeal decision¹ that first granted planning permission for the use of the site as a camping and touring caravan park, refers to 16 caravan pitches, an area for tents, and 23 parking spaces served by a private drive running through the site. No changes are proposed to the existing private drive, which has a crushed stone surface. Pitches and car parking areas currently comprise a mixture of grass, crushed stone and 9 small block paved parking spaces. The submitted documents state that all pitches and adjacent parking spaces would be constructed using geo-grids infilled with aggregate. In the event that different bases are required, this could be agreed as part of a hard landscaping condition, having regard to any effect this may have on site levels and visual impacts.
23. It is proposed to provide a single car parking space alongside each caravan pitch and to have an additional parking area for visitors. This is similar to the existing arrangement onsite. It is unlikely that any additional parking spaces would be required by occupiers of the touring caravans and shepherd huts. A small number of additional car parking spaces may be required for maintenance vehicles, those visiting the manager living on site and occasional visitors to the static caravans. Whilst reference has not been made to a specific number of visitor spaces, I am satisfied that the previously approved 23 parking spaces in total would be sufficient and that there would be space to accommodate this on the site, even if the caravans were to be stationed slightly differently to the layout shown on the illustrative block plan.
24. The implemented planning permission included a condition that required details of a scheme of access and egress to be approved. I have been provided with evidence which confirms that condition was discharged, but I have not been provided with any details of the approved scheme. It is proposed to hard surface and drain the existing vehicular access cross overs, to prevent any mud, loose material or surface water from the site being carried onto the public highway. Given that it is now proposed to use the site over winter months, I consider this to be reasonable and necessary.
25. It is also proposed to trim back and remove part of the existing hedgerows adjacent to the vehicle exit point, to improve visibility for drivers leaving the site. There is nothing before me to suggest that the proposed visibility splays were previously required, and the new use would be likely to reduce the number of long vehicles towing caravans that are entering and exiting the site. Whilst the hedge has no doubt grown since the implemented planning permission was granted, the vehicular exit is onto a very lightly trafficked road, where speeds are not high due to the proximity of the railway bridge and the junction with Station Road. Furthermore, the number of caravan pitches, and hence the number of daily vehicle movements to and from the site, would not be increased. As such, I am not persuaded that the development before me would justify a new visibility splay requirement. However, whilst I note concerns that trimming the hedge back would reduce the level of screening it currently provides, this would not require planning permission and relates to an area of the site where there is little to see as all caravans are proposed to be stationed on the lower-level part of the site. The Arboricultural Impact Assessment also recommends some hedge maintenance works, which will assist in increasing its density. New landscaping within the site boundary can also be agreed by condition to mitigate any losses.

¹ APP/H0520/A/98/1014145

26. I was advised at the hearing that there is an existing package treatment plant on site for the disposal of foul water from the amenity block. This may need to be replaced, or additional package treatment plants installed on the site, to provide increased capacity for waste from the static caravans and shepherd huts. The details of this, which could have implications on the location of pitches can be controlled by a condition.
27. Given the existing established use of the site as a camping and caravan park, allowing a more flexible mix of caravan types to be stationed on the land, and allowing an extended opening season, would have a negligible effect on the character and appearance of the area. The caravans would continue to provide holiday/visitor accommodation, except for the manager's caravan. The pitches for touring caravans, motorhomes and tents, would remain unlikely to be occupied at all times. Whilst there are some weak spots in the boundary landscaping, which were pointed out during the site visit, these are limited and could be mitigated by conditions, which require some additional planting to take place. The position and orientation of some pitches may need to be amended from that shown on the illustrative plans in order to accommodate space for the future growth and maintenance of any new planting. However, the size of the caravans and the space required between caravans for safety reasons is controlled by the Caravan Sites Act and caravan site licencing.
28. I therefore conclude that subject to suitable conditions, the proposal would not urbanise the site or result in any harm to the character and appearance of the countryside. The proposal would therefore accord with Policies LP10, LP11, LP12 and LP23 of the local plan, which seek amongst other things to ensure that proposals in the countryside have regard to its intrinsic character and beauty, that proposals respond to their surroundings and do not cause harm to the landscape significance of the location. I also find no conflict with the Huntingdonshire Landscape and Townscape Supplementary Planning Document, which requires proposals to retain large scale open vistas and long-distance views across the open countryside, or the Framework in so far as it relates to the need to protect the countryside and landscape.

Other Matters

29. I acknowledge concerns regarding the potential residential use of the site. However, except for the site manager's caravan, no such use is proposed, and this can be controlled by conditions. Likewise, previous alleged breaches of planning control or conditions are not matters before me for consideration.
30. The site is located close to several locally and nationally designated habitat sites, some of which are accessible to members of the public. The proposed static caravans and shepherd huts, and the longer opening season would be likely to increase the number of visitors staying on the site per year, despite the number of caravans not being increased, and despite winter occupancy levels of caravan sites generally being lower than in summer.
31. Concerns were raised that the proposal could result in an increased number of visitors walking dogs within the designated sites, and regarding the effect that this could have on plants due to changes to nutrients in the soil caused by dog faeces. No objections were raised by Natural England and the Council's objection was

withdrawn, albeit this was on the understanding that dogs would not be allowed on the appeal site.

32. However, one of the attractions of camping/caravaning in the countryside is that dogs can be taken. There are no conditions to prevent dogs from staying on the existing camping and caravan site, and the increase in dogs resulting from the extended occupancy period would be small, particularly as less people would be arriving and staying in their own caravans. Moreover, a condition to prevent dogs from being allowed to stay with visitors on the appeal site would be difficult for the local planning authority to monitor and enforce. Not all visitors would have dogs or would be interested in visiting the local wildlife sites, with or without their dogs. I am advised that those sites that are accessible to the public, do allow dogs to be walked through them on leads, it is also an offence for the owner of a dog not to clear up after their dog if it has left faeces on publicly accessible land. Consequently, I do not agree that the proposal would result in harm to any nearby designated sites, or that a condition to prevent dogs from staying on the appeal site would be reasonable, necessary or enforceable.
33. Following discussions at the hearing, and as recommended in the submitted SSSI Impact Assessment, it was agreed that concerns relating to dogs and designated sites would be better addressed by providing information to customers, that could be displayed on booking sites, as well as within caravans and the amenity block, educating and advising customers with information about sensitive areas, how to avoid harm to these sites and their special features, alternative walks and places to take dogs, and reminders of general responsible behaviour in the countryside such as not leaving litter or dog faeces, not lighting fires/BBQs and not straying from marked footpaths. Details of such a package of information and how it will be provided to future customers could be agreed by condition.

Conditions

34. I have considered what conditions would be appropriate having regard to discussions at the hearing, Planning Practice Guidance and the Framework. In addition to the standard time limit, a condition requiring the development to be undertaken in accordance with the approved plans and documents, and conditions to control the maximum total number of caravans, and the maximum number of static caravans and shepherd huts is necessary to provide certainty as to what has been approved.
35. Conditions to restrict the occupancy of the site manager's caravan, and to prevent any other caravans stationed on the site from residential use, is necessary because planning policies seek to resist new homes in the countryside unless there is a justified need for them to be there. Conditions requiring the site to be closed for at least one month per year, and requiring a register of visitors to be kept, is necessary to enable the local planning authority to effectively monitor and enforce the lawful use. I do not consider a short stay, 90 day, condition to be necessary, which is not a planning policy requirement, would repeat the purpose of the other occupancy conditions and would prevent or deter the letting of pitches on an annual or seasonal basis, which is a valuable source of income.
36. Pre-commencement conditions relating to detailed landscaping and ecological enhancement proposals are necessary to ensure that satisfactory measures are agreed to effectively screen the caravans, including over the winter months, and to

compensate for the increased use of the site, in the interests of preserving the character and appearance of the countryside, local wildlife, and on-site wildlife habitat.

37. As additional hardstanding pitches are proposed and caravans would be connected to waste water facilities, details of foul and surface water drainage are required prior to commencement, in the interests of satisfactory drainage, and because these were not included in the application and may affect the site layout.
38. Conditions relating to the surfacing and drainage of vehicular crossings, to ensure any gates or barriers do not cause obstructions, to control any new external lighting, and measures to protect nearby designated sites from harm by dogs, are necessary in the interests of highway safety, character and appearance and ecology.
39. Given that the proposal would reduce the number of large vehicles and those towing caravans that are entering and leaving the site and given the quiet nature of the roads that the entry and exit points join, there is no justification for requiring any gates or barriers to be set back 15 metres or for requiring the first 15 metres of the access road to be provided with a metalled surface. It has also not been demonstrated that improved visibility splays would be justified as a direct result of this proposal to allow a different mix of caravans and a longer opening season.
40. It was also agreed that it would be unnecessary to formally level, surface, drain and mark out the permeable crushed stone on-site parking and turning areas, given the scale of the development and the desire to retain the rural character and appearance of the site.

Conclusion

41. The proposed development would accord with the development plan, when considered as a whole, and there are no other material considerations, including the provisions of the Framework, that indicate a decision should be taken other than in accordance with the development plan.
42. For the reasons given above, I conclude that the appeal should be allowed.

R Bartlett

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following: drawing no. 2022.10.100 (site location plan); drawing no. 2022.10.101 Rev. D (block plan) in so far as it relates to the general arrangement of the site including the vehicular access and exit points; the scheme of tree protection set out in section 4 of the Arboricultural Impact Assessment dated January 2025; and the recommendations set out in section 5 of the updated Preliminary Ecological Appraisal dated January 2025 (excluding the restriction relating to dogs and domestic animals).
- 3) No more than a total of 16 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended, (including the caravan occupied by the site manager and any motorhomes or campervans) shall be stationed on the site at any time, of which no more than 7 shall be static caravans, and no more than 6 shall be shepherd huts.
- 4) The residential occupation of the site manager's caravan hereby permitted shall be limited to a person solely or mainly employed in the business occupying the site, edged red on the approved site location plan, together with their partner and any resident dependants.
- 5) No caravans (except for the one to be occupied by the site manager) shall be occupied as a person's sole or main place of residence. An up to date register shall be kept on site of the holiday/visitor accommodation hereby permitted and shall be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.
- 6) The caravan park shall be closed for one month each year, between 7 January and 7 February, unless an alternative month has first been agreed in writing by the local planning authority. No caravans on the site, except the site manager's caravan, shall be occupied during this time.
- 7) Prior to commencement of the development hereby permitted, details of the means of foul and surface water disposal from the static caravans and shepherd huts, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and no static caravan or shepherd hut shall be occupied until it has been connected to the approved drainage systems.
- 8) Prior to commencement of the development hereby permitted, details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. These details shall include:
 - (a) boundary landscaping enhancement planting plans (which show the relationship to all proposed caravan pitches and underground services);
 - (b) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and

- (c) a hard landscaping plan, indicating location, type, size, and finished levels of all hard surfaces, including any new or altered caravan pitches or parking areas.

The development shall be carried out in accordance with the approved details and all new soft landscaping works shall be undertaken no later than the first planting season following the commencement of the approved use. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the local planning authority gives its written consent to any variation.

- 9) Prior to the first use of the development hereby permitted, the existing vehicular access and exit points, where they cross the public highway, shall be improved and surfaced in accordance with the Cambridgeshire County Council construction specification, with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.
- 10) Any gates or barriers to the vehicular entry and exit points shall be set back a minimum of 6 metres from the near edge of the carriageway and shall not open outwards over any highway controlled land.
- 11) Prior to the installation of any new free standing external lighting on the site, full details including height, design, location and intensity, shall be submitted to and approved in writing by the local planning authority. The lighting installation shall be carried out in accordance with the approved details.
- 12) Prior to the first use of the development hereby permitted, details of the information packs referred to in section 4 of the submitted SSSI Impact Assessment, updated September 2024, relating to nearby sensitive sites and particularly the control of dogs in such areas, and details of how and when such information shall be brought to the attention of customers, shall be submitted to and approved in writing by the local planning authority. The approved information shall thereafter be shared with customers in the approved manner.

****END OF SCHEDULE****

APPEARANCES

FOR THE APPELLANT:

Mr Frederick Adams (Appellant)

Fenside Leisure Ltd

Mr Jonathan Mills MPlan MRTPI (Agent)

Partners in Planning and
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Mr Luke Broom-Lynne BA DipLA CMLI MRTPI

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Mr Roger Spring

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FOR THE LOCAL PLANNING AUTHORITY:

Ms Charlotte Dew MRTPI

Senior Development
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Mr Lewis Tomlinson

Principal Planning Improvement
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Mr Edmund Terrington, BSc (Hons)

Ecology Officer