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## Appeal Decision

Site visit made on 4 March 2025

**by N Kempton BAHons PGDip MA IHBC MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26<sup>th</sup> March 2025

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**Appeal Ref: APP/Y2003/W/24/3354280**

**Long Acre Nursery, Godnow Road, Crowle, Scunthorpe DN17 4EE**

- 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 Tony Chapman against the decision of North Lincolnshire Council.
  - The application Ref is PA/2023/1094.
  - The development proposed is change of use of land from agricultural pasture to caravan storage site.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. Since the determination of this application, the Government published a revised National Planning Policy Framework (the Framework) in December 2024. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by this.
3. The new North Lincolnshire Local Plan was submitted for public examination by the Planning Inspectorate in November 2022 but was subsequently withdrawn in September 2024. I therefore, ascribe minimal weight to the draft local plan.
4. The Council's reasons for refusal refer to those policies in the adopted North Lincolnshire Local Plan (2003)(LP), which were saved by a direction of the Secretary of State in September 2007, and the North Lincolnshire Core Strategy DPD (2011)(CS).

### Main Issue

5. The main issue is:
  - whether the change of use of land from agriculture to the storage of caravans would be an appropriate type of development in this location, having regard to the local development strategy for the area and the character and appearance of the area.

### Reasons

6. The appeal site is situated on the northwest side of Godnow Road within the Lincolnshire Fens, a landscape characterised by expansive, open fields used primarily for arable farming. The terrain is generally level and low lying, and the

landscape features drains and dykes where the land has been extensively drained to support farming activities.

7. Set back off Godnow Road, the appeal site is beyond a recently constructed residential dwelling, a barn, polytunnels associated with a small-scale nursery and a facility for ice cream sales, and a caravan and camping site, albeit that operations for these enterprises appear not to have commenced yet. The landscape surrounding the appeal site comprises Crowle Colts Football Club's sports field and recreational ground, agricultural land with associated buildings, and paddocks for horses associated with stables on Windsor Lane.
8. There is no dispute that the appeal site lies outside the settlement limits for Crowle, as defined in the North Lincolnshire Local Plan Proposals Map (2003) and is therefore in open countryside for the purposes of the development plan.
9. Policy RD2 of the LP states that development in the open countryside will be strictly controlled and proposals for development will only be supported where they meet one of the eight types of development listed (RD2 i-viii). Five of these are undisputed. Three types of development are in contention: that the proposal is employment related development appropriate to the open countryside; that the proposal is essential for the provision of outdoors sport, countryside recreation, or local community facilities; and that the proposal constitutes diversification of an established agricultural business.
10. Qualifying development is subject to further requirements set out in sub paragraphs a)- f) of Policy RD2. These include the requirement in RD2 (a) that the open countryside is the only appropriate location and development cannot be reasonably accommodated within defined development boundaries; and RD2 (c) that development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials. These are further areas of dispute between the parties.
11. Policy RD2 was adopted some time ago. Nevertheless, the strategy outlined clearly specifies the circumstances where development in the open countryside will be permitted and forms part of a wider strategy that directs most development to settlements. It broadly aligns with the government's approach to supporting a prosperous rural economy as set out in paragraphs 88-89 of the Framework. Paragraph 232 of the Framework confirms that existing policies should not be considered out-of-date simply because they were adopted prior to the Framework but that due weight should be given to them according to their degree of consistency with it.
12. The main parties agree that the proposal to change the use of the land to storage of caravans is employment related development, though the job creation related to the proposed development would be very limited. Whether the development is appropriate to the open countryside is in dispute. White caravans and motorhomes would be very visible in the landscape by reasons of their colour and form. The relatively flat topography gives a sense of openness and remoteness, which the proposed development would fail to respect.
13. The proposal to change the use of the land from agricultural pasture to caravan storage would change the character and appearance of the open countryside. It is acknowledged that the appeal site is surrounded by development, including sports pitches and floodlighting, horse stabling, paddocks, residential properties and

agricultural buildings. Notwithstanding the surrounding development, the proposal would fail to respect the loose grain character at the edge of the settlement.

14. Whilst the storage of caravans on the land may relate to the approved camping and caravan site adjacent, the impact of the proposal in open countryside would differ in scale and permanence. The permission for the adjacent site is for the siting of 5 touring caravans, the presence of which would be intermittent and short-term. Even if fully occupied, the visual impact arising from the 5 pitches would be significantly less than that arising from the storage of approximately 26 caravans and motorhomes, on a longer-term basis and on land that protrudes further into open countryside, beyond the settlement edge.
15. The appellant considers that caravans are inextricably linked to countryside recreation and that storage of the caravans is ancillary to it. Notwithstanding this, it does not follow that the storage of caravans in open countryside is essential for the purposes of countryside recreation, and the evidence before me does not convince me otherwise.
16. At the time of my visit, it was apparent that operations related to the enterprises that have been permitted at the site, have not yet commenced. As such, the proposal cannot be considered to constitute diversification of any established agricultural businesses.
17. Visibility of the proposed development would be afforded by the sparsity of natural vegetation in the immediate vicinity of the appeal site. The area is interspersed with small patches of woodland, hedgerows, and isolated farmsteads, offering breaks in the otherwise open landscape. By reasons of the siting, arrangement and scale of the proposed development, it would protrude into open countryside and given the likely colour and form of the caravans themselves, they would be prominent in the landscape. The appellant's proposal to introduce additional planting on the appeal site to screen the proposed development is noted. Notwithstanding this, the proposed development would result in visual harm to the detriment of the inherent character and appearance of this open landscape.
18. I note the appellant's assertion that the rural location of the appeal site would serve to reduce the distance that caravans would need to be pulled to their recreational location. However, there is insufficient evidence before me to demonstrate that the open countryside location is the only appropriate location, and development cannot reasonably be accommodated within defined development boundaries. Therefore, the proposal fails to address criterion (a) of Policy RD2 of the LP.
19. I have found that the proposed development would fail to meet the types of development set out in Policy RD2 (i-viii) of the LP and as such would be inappropriate development in the open countryside, contrary to Policy RD2 of the LP. Furthermore, the proposed development fails criterion RD2(a) and would have a detrimental impact on the character and appearance of the open countryside contrary to RD2(c).
20. The harmful effect on the character and appearance of the area would also result in conflict with Policy DS1 of the LP, which sets out general requirements for all development proposals. It states, among other things, that the design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area.

21. The proposed development would also be contrary to Policy CS5 of the CS, which requires all new development to be well designed and appropriate for their context. The policy states that design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.

### **Other Matters**

22. The appellant claims the Council has been inconsistent in their decision making, citing permissions as comparable examples. However, I have not been provided with the full details of these cases, which inhibits a proper comparison. As such, I cannot be certain as to the circumstances within which these past planning decisions were made, though I note that the types of development approved in the examples cited benefit from policy support under Policy RD2 of the LP. The evidence does not show that any are directly comparable with the circumstances of the case before me and so are of little relevance. In any event, each proposal falls to be assessed primarily on its own merits.
23. I acknowledge that 'ancillary' permissions have been granted in relation to the football ground adjacent to the appeal site, which is an existing and established use. These developments directly relate to the operation of the football club, an existing recreational facility, and as such, were considered essential for the provision of outdoors sport and countryside recreation, in accordance with Policy RD2 of the LP.
24. Notwithstanding the proximity of the appeal site to Crowle town centre and the potential for the proposed caravan storage to support the approved tourist attractions, specifically the caravan and camping site, nursery and ice cream kiosk, these modest benefits, do not outweigh the harm identified in relation to the main issue.
25. The appellant cites other development plan policies that he considers to be relevant to the appeal. However, it is not shown that compliance with other policies has paramountcy over the conflict with the development plan I have identified.

### **Conclusion**

26. I have found that the proposal would be an inappropriate type of development in this open countryside location. It would fail to respect the loose grain character at the edge of the settlement. It would be visually prominent and intrusive and would detract from the intrinsic character of the landscape. The proposed development would harm the character and appearance of the open countryside.
27. There would be conflict with the development plan when read as a whole. There are no other considerations, including the provisions of the Framework, which outweigh this finding.
28. For the reasons given above, the appeal is dismissed.

*N Kempton*

INSPECTOR