
Appeal Decision

Site visit made on 30 May 2025

by S Hartley BA(Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 11 June 2025

Appeal Ref: APP/D2510/W/25/3362639

Woodlands, Summergates Lane, Bratoft, Skegness, Lincolnshire PE24 5BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Phil Graham against the decision of East Lindsey District Council.
 - The application is reference S/020/02066/23.
 - The development proposed is the change of use of land to provide 8 glamping pitches, the excavation of a wildlife pond, the creation of an embankment and the construction of an internal access road.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of land to provide 8 glamping pitches, the excavation of a wildlife pond, the creation of an embankment and the construction of an internal access road at Woodlands, Summergates Lane, Bratoft, Skegness, Lincolnshire PE24 5BZ, in accordance with the terms of the application reference S/020/02066/23, subject to conditions set out in the attached schedule.

Application for Costs

2. An application for costs was made by Mr Phil Graham against East Lindsey District Council. This application is the subject of a separate decision.

Procedural Matters

3. The National Planning Policy Framework was revised in December 2024 and amended on 7 February 2025 to correct cross references from footnotes 7 and 8, and to amend the end of the first sentence of paragraph 155 to make its intent clear. The 2025 Framework (the Framework) has not materially changed in terms of the identified main issue below and therefore, it has not been necessary for me to seek comments from the main parties.

The Proposed development

4. The appeal site is located on the south side of Summergates Lane. It is a flat paddock with woodland to the rear of the dwelling known as Woodlands, with trees and hedges to its perimeter and with a small pond at its northern end. A number of trees are protected. The host property is sited at the northern end of the site along with two existing holiday let cottages.
5. There are neighbouring dwellings to either side with gardens and paddocks.

6. Eight glamping pods are proposed. One pitch would be close to the existing small pond, two would be set amongst the existing woodland, while five would be located on open land centrally within the site, facing the proposed additional linear pond.
7. The proposal does not include the design details of the proposed pods but it is stated that in the woodland they would be mobile or temporary structures. The other pods would be prefabricated structures. Each pod would be suitable to accommodate two people and would include a shower room. Car parking for each pod is proposed, though parking for the pods sited in the woodland would be located outside of it.
8. The development would include a new permeable access road within the appeal site. Spoil from the construction of the proposed additional pond would be used to create an embankment on the western boundary of the site.

Main Issue

9. The main issue is whether the proposal accords with development plan policies relating to the location of development in the area, including the effect of the proposal upon the character and appearance of the area.

Reasons

10. The East Lindsey Local Plan Core Strategy 2018 (CS) policy SP1 establishes a hierarchy of settlements for development purposes, ranging from towns, large, medium and then to small villages and finally to hamlets and countryside locations. Bratoft is not identified in the SP1, comprising a small number of houses and other buildings and falling within the category of hamlets and open countryside.
11. Policy SP3 of the CS is supportive of camping sites, of the sort now proposed, where they are in close proximity to a large town or medium village. The nearest such settlement is Burgh Le Marsh which the LPA calculates to be approximately 2.4km away and at least 3km to the facilities in it such as a shop or public house. Moreover, the route is along single track, unlit lanes with no footpaths.
12. The LPA considers the appeal site to be unsustainably located, with occupiers being heavily reliant upon the use of private cars and with no separation of vehicles and pedestrians as required by CS policy SP15. Nonetheless, the Highway Authority (HA) raises no objections in terms of highway safety. However, the main parties refer to footpaths in the immediate area which provide access to Burgh Le Marsh, while the roads provide possible access by bicycle. These offer alternatives to the use of private vehicles, while the footpath routes, in the main, provide sufficient separation of vehicles and pedestrians which is a requirement of policy SP15.
13. While such alternatives do exist, I accept that the majority of journeys are likely to be by private cars. However, the number of such journeys and the distances involved would be likely to be limited, such that the contribution to carbon in the atmosphere and to climate change would also be limited and would be reducing all the time with the greater use of electric vehicles.
14. Moreover, the LPA notes the views of the HA that vehicle speeds are relatively low in the area, that there are suitable locations to allow vehicles to pass, and that Summer gates Lane is lightly trafficked, such that even though there is an absence of footways, pedestrians can share the carriageway without compromise to

highway safety, The LPA considers that the proposal *'would not warrant refusal on highway safety grounds'* and I have no reason to disagree..

15. The appellant has referred to several other similar developments which have been approved by the LPA, though some are not comparable to the proposed development in terms of their size and extent. However, the examples include approval for nine static caravans at Moat Farm, Oxlands Lane, Bratoft, approved in August 2018¹ where the same CS policies applied and where distances and routes, especially along footpaths to Burgh Le Marsh, while not exactly the same, are comparable. In addition, the LPA has previously granted approval for a holiday let which adjoins the appeal site itself ² and determined under the same policy as relates to the current appeal. Here, the LPA concluded that *'the site is connected, by way of numerous public footpaths (including but not limited to Btft/239/1, Btft/240/1, Btft/241/1, BurM/994/1, BurM/259/1 and BurM/258/2) to the large village of Burgh le Marsh which benefits from a range of services and facilities. In particular, public footpath Btft 239/1 is located directly adjacent the north western corner of the application site.*
16. The Courts have held that consistency in decision making is a material consideration³.
17. While I find that the appeal proposal would be close to the middle sized settlement of Burgh Le Marsh, policy SP15 is supportive of widening the inland tourism and leisure economy *'providing it can be demonstrated that they add to the built and natural environment by the provision of extensive landscaping and green infrastructure, do not cause unacceptable harm to the wider landscape, protected or important habitats, heritage assets and their settings, and they have safe access to the relevant settlement with vehicles and pedestrians being segregated'.*
18. The appeal site has extensive mature planting to its periphery and would be well screened from wider views. The LPA considers that the proposed development would not result in harm to the character and appearance of the area and, for the above reasons, I have no reason to disagree.
19. In addition, the proposed pond would enhance biodiversity.
20. The application was submitted prior to the introduction of legislation relating to at least a 10% biodiversity net gain, (BNG) but nevertheless the Framework, and policy SP24 of the CS, seek to protect or enhance biodiversity and geodiversity of land and buildings. The application proposal is accompanied by an ecological appraisal which makes recommendations for ecological enhancements and protections and which can be secured by way of conditions.
21. There are a large number of protected trees on the appeal site and where the proposal is to locate two of the glamping pods, and also which might be affected by the rest of the development including the proposed embankment. The LPA suggests that the protected trees and their root zones can be protected by way of a condition and I have no reason to disagree.
22. The LPA notes that Natural England has been consulted with regard to the possible presence and impact upon Great Crested Newts which are a protected species, and

¹ S/020/1232/18

² S/020/00279/22

³ SSCLG and Solihull MBC V Ms Thea Osmund-Smith and Mr Richard Kimblin, 2015

that it has raised no objections, even though the Lincolnshire Wildlife Trust (LWT) has raised this as a concern along with other ecological concerns including the time of year (February) when the ecological survey was carried out. However, the Council's ecologist has concluded that, taking account of the relatively simple ecology of the habitat which might be impacted by the proposed development, he expects that *'the development will achieve an increase in biodiversity as long as the habitat creation recommendations described in the ecology report are carried out in full'*. I have no reason to disagree.

23. Therefore, and for the above reasons, and subject to the imposition of conditions, I conclude that the proposed development would accord with policy SP15 of the CS.

Other Matters

24. Third parties have raised objections on additional grounds, including the impact upon villagers in terms of noise and disturbance.. However, the glamping pods would be grouped in the middle of the site around the proposed site, next to the existing pond and in the woodland. They would be sited away from the periphery of the site, with a degree of separation from existing dwellings and with intervening mature landscaping. Moreover, the existing adjacent paddock would provide addition separation from some of the dwellings.
25. The proposed access off Summergates Lane would be past existing dwellings, (two are holiday lets) and I do not disagree with the LPA's assessment that having regard to the relatively low number of pods and the position of the access in relation to neighbouring dwellings, the proposed development is unlikely to result in a significant increase in noise and disturbance. The internal access would run down the centre of the site, away from its borders.
26. Third parties consider that the quoted comparison with development at Moat Farm in Bratoft is not relevant as this was approved under different planning policies. However, the CS was adopted by the Council in July 2018 whereas the Moat Farm approval is dated 21 August 2018, and therefore was determined under the same local plan policies as apply to the current proposal. I appreciate that the Framework has been changed since then, but I have not been made aware of any significant changes which affect the consideration of the appeal.
27. Concerns have been raised regarding the adequacy of the electricity and internet capacity to accommodate the proposed development, but I have no evidence before me to indicate that there would be any such difficulty.
28. Reference is made to the proximity to the Anglican Church of St. Peter and St. Paul, a Grade II* Listed Building (LB). However, the appeal site is approximately 0.3 miles away from the church, in a difference part to the village and where it would have no impact upon the setting of the LB.
29. These additional considerations, neither individually nor collectively, outweigh my conclusions upon the main matter.

Conditions

30. The LPA has been given the opportunity to suggest its own suitable conditions in the event that the appeal should be allowed, but no such conditions have been received. Nevertheless, the main parties have been offered the opportunity to comment upon the conditions in the attached schedule. The appellant has agreed

to the conditions including the pre-construction conditions. No comments have been received from the LPA.

31. It is necessary to impose the standard three-year commencement of development condition. For the avoidance of doubt, and in the interest of certainty, it is necessary to attach a drawings condition.
32. It is necessary to include a limit upon the number of glamping pods in order to ensure the protection of trees and to safeguard the amenities of surrounding residents in terms of noise and disturbance. A condition is also required specifically to safeguard the protected trees.
33. It is necessary to include a condition for the submission of the detailed designs of the proposed 8 glamping pods including their external materials of construction.
34. The area has medieval origins and in view of the proposed earthworks it is necessary to include a condition requiring archaeological monitoring and recording.
35. In the interest of the character and appearance of the area and good design, it is necessary to impose landscaping and materials conditions.
36. While I have no information before me to suggest that there may be present abnormal levels of contamination, it is necessary to include a condition to protect the health and safety of workers and future occupiers, should such contamination levels be discovered during construction.
37. In order that the development accords with paragraph 187(d) of the Framework, it is necessary to include a condition which includes a scheme of biodiversity enhancement. Such a scheme should incorporate features which support priority of threatened species such as swifts, bats and hedgehogs as referenced in paragraph 187(d) of the Framework.
38. As the glamping pods are unlikely to meet the national space standards for dwellings, it is necessary to impose a condition requiring that they be used only for holiday lets.
39. In the interests of highway safety, a condition is required to prevent material being brought onto the public highway.
40. It is necessary to remove permitted development rights in so far as such rights might affect protected trees, and to protect the character and appearance of the area.

Conclusion

41. There are no material planning considerations that indicate the application should be determined other than in accordance with the development plan. Therefore, the appeal should be allowed.

S. Hartley

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: drawing No. 54323-02 (Existing plans including the location plan); and 54323-02 (proposed site plan).
- 3) No above ground development shall take place until details of the proposed glamping pods and similar structures, including external materials to be used in their construction, have been submitted to and approved in writing by the local planning authority).
- 4) The number of glamping pods and other habitable structures shall be limited to nine units, to be sited as shown on the approved plans or as otherwise agreed in writing by the local planning authority, including those to be sited in the protected woodland.
- 5) No development shall take place until procedures to ensure that the protected trees on the site have been submitted to and agreed in writing by the local planning authority.
- 6) No development shall take place until a programme of archaeological monitoring and recording has been submitted to and agreed in writing by the local planning authority. Thereafter, the developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority and shall allow that person to observe the excavations and record items of interest and finds.
- 7) If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA. On completion of the development the LPA shall be notified in writing if no additional contamination was identified during the course of the development and the dwellings hereby permitted shall not be occupied until the LPA has acknowledged receipt of the same.
- 8) The glamping pods hereby permitted shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The owners/operators of the site shall maintain an up-to-date register of the names of all occupiers of the accommodation on site, and of their main home addresses, and shall make this information available to the Local Planning Authority upon request.
- 9) Notwithstanding the submitted plans, the dwelling hereby approved shall not be occupied until there has been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping. The development shall thereafter accord with approved details. All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner and any trees or plants which within a period of five 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.

- 10) The glamping pods hereby permitted shall not be occupied until a scheme of biodiversity enhancement has been submitted to and approved in writing by the local planning authority. The approved details shall be fully implemented and thereafter retained.
- 11) Unbound materials shall not be included within 1m of the public highway.
- 12) The glamping pods hereby approved shall be used for the purposes of holiday lets and not for their permanent occupancy as dwellings.
- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting that Order with or without modification, no development within Classes A to E of Part 1, Schedule 2 of the Order shall be carried out without an express grant of planning permission by the Local Planning Authority (Other than those expressly authorised by this permission).