



Appeal Decision

Site visit made on 18 June 2025

By G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2025

Appeal Ref: APP/F1610/W/24/3357853

Lower Field Farm, Badsey Lane, Badsey, Evesham, WR11 7HF

- 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 Gareth Atkinson against the decision of Cotswold District Council.
 - The application Ref is 24/00306/FUL.
 - The development proposed is a touring caravan site (20 pitches).
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Decision

1. The appeal is allowed, and planning permission is granted for a touring caravan site (20 pitches) at Lower Field Farm, Badsey Lane, Badsey, Evesham, WR11 7HF in accordance with the terms of the application, Ref 24/00306/FUL, subject to the conditions set out in the accompanying Schedule.

Preliminary and procedural matters

2. The site is located in countryside alongside a rural road between the settlements of Badsey to the north-west and Willersey to the south. A short distance to the north of the site is the administrative boundary separating the District Council areas of Cotswolds and Wychavon and the County Councils of Gloucestershire and Worcestershire respectively.
3. The Council consulted Wychavon DC and Worcestershire CC as the neighbouring, adjoining planning and highway authorities respectively. Neither objected to the scheme. However, several Wychavon residents objected, along with a Wychavon District councillor and the Badsey and Wickamford Parish Councils. The Willersey Parish Council and several Cotswold residents also submitted objections.
4. The Council's officer report provides an assessment of the scheme. This refers to several development plan policies and in particular to policy EC11 of the Cotswold District Local Plan (DLP), which deals with various types of tourist accommodation. In respect of touring caravan sites, the policy is expressed permissively; the only qualification applicable in this case is that the site should be well related to the main tourist routes. The accompanying text to the policy provides:

'As identified above, a weakness in the tourist economy is the lack of lower cost accommodation. There are relatively few permanent sites for touring caravans and camping in the District....The Local Plan offers the opportunity to encourage the development of lower cost accommodation, such as caravan and camping sites, in order to improve the tourist offer and encourage day visitors to stay longer, thus increasing the benefits to the local economy.'

5. GCC, as Highway Authority, has presented a statement for the appeal. It raises concerns relating to not only highway safety but whether, in policy terms, this is an appropriate location for this use. It says that *'the site is clearly unsustainable in purely transport terms as it would rely entirely on the private car to access all services.'* This reflects concerns raised when consulted on the application.
6. I recognise a degree of tension between some of the policies referred to by the HA and other policies in the DLP, but it seems to me that the most relevant DLP policy is EC11 not least since it is specifically directed to touring caravan sites, and the only locational provision is that sites should be well related to the main tourist routes. The explanatory text is expressed in language such as to persuade me that development such as this is to be encouraged throughout the District, even if not within or adjacent to settlements¹. DLP policies EC3 and EC5 are also supportive of development outside settlement boundaries in appropriate circumstances, such as is the case here. The Council considers, having regard to these policies, that the principle of the development is acceptable. I have no reason to disagree, and having regard to the travelling times and distances involved I consider the site to be well related to the nearest main tourist routes, the A44 and A46, for the purposes of DLP policy EC11.
7. Reference is made to other Council decisions including one² affecting land close to the appeal site, where the Council refused permission, including on grounds of highway safety. The appeal decision³ in respect of the refusal has been issued recently, and this is material to my considerations.
8. The applicant has made an application for costs against the Council. This is the subject of a separate decision.

Main Issue

9. This is the effect of the development on highway safety.

Reasons

10. In the sole reason for refusal the Council makes two allegations namely: (a) that it has not been demonstrated that the access layout is suitable for the number and types of vehicles likely to use it, and (b) that the development would lead to additional vehicles including larger vehicles using substandard roads and a consequent adverse impact on highway safety.

The access

11. In respect of the proposed access arrangements, the appellant's submitted plans show an access with an 'x' distance of 2.4m and a 'y' distance of 215m. The appellant also suggests, taking account of traffic speed data⁴ produced following a survey outside the site, that the 'y' distance could conceivably be lessened, based on nationally applied standards. The appellant has also produced data in respect of Stopping Sight Distances (SSDs) towards the access from both directions which it

¹ The HA refer to 3 appeal decisions in the East Staffordshire area. However, it appears to me that local policies in respect of tourist accommodation are materially different to those before me.

² Ref 23/02608/FUL for the construction of livery yard to include stable building for 15 equines and associated development.

³ APP/F1610/W/24/3351725 dated 30 May 2025

⁴ I note that the data on speeds reflects that presented in the other appeal already referred to.

is said satisfy national standards. Swept path analysis drawings have also been produced.

12. The road outside the access point is relatively straight in both directions for some distance. Having stood at the access point I am satisfied that visibility spays in excess of 200m can be achieved in both directions and that the splays would be contained within the application site, on land within the appellant's control or ownership, or on land forming part of the highway⁵. I am also satisfied that, having regard to average and 85%ile speeds that the SSDs that can be achieved are acceptable to ensure a safe access can be formed to cater for the number and type of vehicles likely to use it.

Whether substandard roads

13. The road considered substandard by two of the principal parties⁶ is that part of the highway between Willersey and Badsey to the south of the appeal site, and for a few hundred metres north⁷. Much of the road between the two settlements lies within Worcestershire and its highway authority has no objection. In this respect, its response to consultation is lengthy and well-considered in my view.
14. I drove the length of the road between the two settlements and within them. I found the road to be untypical of rural roads generally given that forward visibilities are good to excellent along much of its length. Also, for much of its length there is a generous highway verge both sides, which aids driver visibilities since hedges are generally set back. The verge would also assist in allowing two large vehicles to pass safely where the tarmacked road narrows.
15. Although described as single lane by some, I found on most of the route that I could pass other vehicles comfortably when they approached, including a large van. Inevitably, there are pinch points and bends, but none that should prove problematical or dangerous to considerate drivers, even when towing a caravan. I note the comment made by GCC that not all drivers are careful and considerate. However, the undisputed accident data for the road suggests to me that this is not as substandard or potentially dangerous a road as asserted by the Council. In this respect I note the concerns expressed as to the use of the road by pedestrians and horses, but the accident data suggests to me that those concerns are over-exaggerated.
16. The highway authorities predict traffic generation to be within the range of 60-80 trips per day⁸, but even on this basis there is no suggestion that capacity issues would arise, particularly considering that many of the trips would likely take place outside peak periods. Nor, as far as I can see, has a trip distribution exercise been carried out, so the movements could be north or south of the access point, thus evening matters out along the route. Nothing within the respective villages persuaded me that vehicles couldn't safely negotiate their roads, and given GCC's comments I drove along Collin Lane towards the A44 and found it to be an acceptable standard to accommodate the type of vehicle likely to use the site, notwithstanding the Council's reference to a hazardous bend.

⁵ Having regard to the uncontested plan at appendix I of the appellant's Transport Technical Note, July 2024.

⁶ Including the Highway Authorities

⁷ Glos CC also express misgivings as to the quality of the connection between Willersey and an A route.

⁸ Figures challenged by the appellant

17. I note that my views on this aspect largely correspond with the views expressed by the Inspector in the other appeal referred to as to the adequacy of the road in question to safely accommodate vehicles similar in size to those proposed in this case.
18. I conclude that a safe access point is capable of being provided and that the use of the local highway network by the vehicles using the proposed development site would not adversely affect highway safety. Accordingly, I find no material conflict with those aspects of DLP Policy INF4 requiring development to provide safe and suitable access, well integrated with the existing transport network. I have also taken account of the content of paragraph 116 of the *National Planning Policy Framework* which provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. No unacceptable impacts have been shown with this scheme.

Conditions

19. The Council has suggested the imposition of several conditions in the event of the appeal being allowed, and the appellant was provided with an opportunity to comment upon them. Most shall be imposed, albeit the wording of some is modified.
20. In the interests of certainty, it is necessary that the development be carried out in accordance with the approved plans.
21. A landscaping condition is imposed on the basis that the scheme submitted is considered schematic and insufficiently detailed, and protection measures for extant plants and vegetation and wildlife are necessary during the construction period.
22. The proposed access condition as drafted is considered unnecessary since a sufficient level of detail has been submitted. However, whilst the use of Terram is proposed, in the interests of certainty further details are required of the materials and means of construction of the access and drive.
23. The description of the permitted scheme defines the number of caravans allowed on site, and the Council's suggested condition limiting numbers is therefore considered unnecessary.
24. A condition regarding external lighting is imposed in the interests of protecting nocturnal animals.
25. The Council's proposed condition x is noted, but the proposed development does not involve the erection of buildings.

Other matters

26. Reference has been made to other development plan policies, but I consider those to which I have referred to be the most relevant having regard to the facts of the case. I have also taken into account all other references to the *National Planning Policy Framework*.
27. As mentioned previously representations have been made by several local residents and those who represent them in the local community, and I have already dealt with most of the planning related points raised. Cotswold Council officers also

assessed the proposal with regard to other policies covering subject areas such as landscape protection, residential amenity and ecology. Having regard to that seen at my site visit and in the representations, I have no reason to disagree with the officer assessment on these issues. The planning authority's reason for refusal and its statement of case are directed solely to issues of highway safety, and all other aspects of the scheme are considered acceptable.

28. No other matter raised in the representations, is of such strength or significance as to outweigh those considerations that led to my conclusions.

G Powys Jones

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 approved plans: Location Plan and Drawing Nos: LF 4-2; LF 4-3; LF 4-4 & LF 4-5.
- 3) Prior to the implementation of the development hereby permitted, a scheme of landscaping shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and should also be included, together with details of the means of protecting all existing hedges and trees on and adjacent to the site during the construction period and measures for the protection of wildlife.

The approved means of protection of existing hedges and trees and for the protection of wildlife shall be put in place prior to the commencement of development and kept in place for the duration of the construction period. The entire approved landscaping scheme shall be completed by the end of the first full planting season (15th November to October to the 15th March the following year) immediately following the completion of the development or the site being brought into use, whichever is the sooner.

Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed areas which become eroded or damaged, within 5 years of the completion of the approved landscaping scheme, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost.

- 4) Prior to the installation of any external lighting on or near the site, a scheme for such lighting shall be submitted to the local planning authority for its approval, to be obtained in writing. Any external lighting of the site and its surroundings shall thereafter only be installed in accordance with the approved scheme.

- 5) Prior to the implementation of the development hereby permitted details of the means of construction and materials to be used in the creation of the access and driveway shall be submitted to the local planning authority for its approval. The access and driveway shall be constructed in accordance with the approved details, and shall be completed before any touring vans are brought onto the site.