



Appeal Decision

Site visit made on 12 August 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 August 2025

Appeal Ref: APP/W4325/W/25/3361030

Backside Meadow, Lower Thingwall Lane, Thingwall, Wirral

Grid Reference: Easting 328115 Northing 384689

- 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 C Richardson against the decision of Wirral Metropolitan Borough Council.
 - The application Ref is APP/23/01802.
 - The development proposed is change in use of land from use for equestrian purposes, including the demolition and removal of existing buildings and other structures, to use for the siting of one static caravan, for residential purposes.
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Decision

1. The appeal is allowed and planning permission is granted for change in use of land from use for equestrian purposes, including the demolition and removal of existing buildings and other structures, to use for the siting of one static caravan, for residential purposes at Backside Meadow, Thingwall, Wirral CH61 4XW (Grid Reference: Easting 328115 Northing 384689) in accordance with the terms of the application, Ref APP/23/01802, subject to the following 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: 21010-01 Rev A Location Plan, 21010-08 Rev C Proposed Site Plan, Floor Plans (9 June 2023), South/Front Elevation, North/Rear Elevation, East/RH Elevation, and West/LH Elevation.
 - 3) Details of the colour of the static caravan shall be submitted to and agreed in writing by the local planning authority prior to it being brought onto the site. The development shall be carried out in accordance with the approved details.
 - 4) A scheme of landscape proposals including a timetable of works shall be submitted to and approved in writing by the local planning authority prior to first occupation of the development. The scheme shall include (where practical) but not limited to, species of local provenance and native and non-native flowering perennial species and features such as bird boxes, log piles, bug boxes, solitary bee houses and hedgehog homes to encourage net gains in biodiversity, full plans and specifications for all hard and soft landscape works, and indications of all existing trees and hedgerows on the land, including those to be retained. All planting, seeding and/or turfing comprised in the approved landscaping details shall be carried out in the first planting and seeding seasons following the occupation of the site or the completion of the development, whichever is the sooner, and any trees, shrubs, hedges or plants

which within a period of five years from completion of 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.

Preliminary Matters

2. The Wirral Local Plan 2022-2040 (LP) was adopted on 31 March 2025 following the Council's decision on the proposal. The policies of the LP now carry full weight and have superseded those within the Wirral Unitary Development Plan that were referred to in the Council's decision notice. Accordingly, I have considered the proposal against the relevant policies of the LP, which I am advised are WS 1, WS 6 and WS 7, on which both parties have had the opportunity to comment during the appeal process.
3. The Government published a revised National Planning Policy Framework (the Framework) on 12 December 2024. For the avoidance of doubt, where reference is made to paragraph numbers in this decision, they are taken from the latest version of the Framework.
4. Given no postcode has been provided for the appeal site, I have used the easting and northing coordinates provided on the application and appeal forms, which allow for the precise identification of its location.

Main Issues

5. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - The effect of the proposal on the character and appearance of the host property and the area; and
 - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

6. The appeal site lies in the Green Belt. Paragraph 154 of the Framework explains that development in the Green Belt is inappropriate unless one of the listed exceptions apply. Relevant to this appeal is exception 154(g), which, in the latest version of the Framework, allows for the limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
7. LP Policy WS1 is consistent with the Framework as it states that national policy for the Green Belt will apply in the determination of relevant proposals.
8. There is no dispute between the parties that the appeal site meets the definition of previously developed land, as set out in Annex 2 of the Framework, and I find no reason to conclude otherwise. Therefore, the effect of the development on the

openness of the Green Belt will determine whether it is inappropriate development. In this regard it is unaffected by the Lee Valley judgement¹ referred to in the appeal documents.

9. The parties do not agree whether a truck back, that is proposed to be removed and is located outside of the appeal site, is a temporary building. Nonetheless, it is agreed that the proposal would result in a reduction in the footprint and volume of buildings on site. Based on the information before me, I have no reason to disagree.
10. The proposed static caravan would be sited forward of the larger stable building, but would remain in the corner of the site, some distance from Lower Thingwall Lane. Views of the caravan from the public highway would be limited to the site access or would be filtered through the mature hedge along its edge, as is the case with the existing buildings on site.
11. Although the proposal does not include a new access or additional hard surfacing, it is likely that the proposed residential use would result in an increase in activity due to additional comings and goings, and more regular parking of vehicles on the site. Furthermore, domestic paraphernalia would, inevitably, be introduced. Nevertheless, it has not been shown that any increase in activity arising from the proposal would be significant, or that it would result in a more cluttered appearance when compared to the existing site which contains buildings, structures and the associated equestrian equipment. Moreover, any such changes to the site, and introduction of urbanising features, would be seen in the context of the other properties that are sporadically located on, and visible from, Lower Thingwall Lane, including dwellings on its west and east.
12. Taking the above findings together, the proposal would result in some limited harm to the spatial and visual openness of this part of the Green Belt. However, given the amount and type of development proposed, I do not find that it would result in substantial harm to openness when assessed against the existing situation. As such, it falls within exception 154(g) of the Framework and is, therefore, not inappropriate development.
13. To conclude, the proposal would not be inappropriate development in the Green Belt and would not conflict with LP Policy WS 1. For this reason, and having regard to the Lee Valley judgement, there is no requirement for me to go on to consider the effect of the proposal on the purposes of including land in the Green Belt. Thus, there is no requirement to consider such matters separately. Additionally, the demonstration of very special circumstances is not required to make the proposed development acceptable.

Character and appearance

14. The appeal site is a large plot of land, enclosed by hedges and trees, containing two stable buildings, a shed, and a small touring caravan located to the rear, in one corner. An access extends across it leading to a hard surfaced area in front of the larger stable building. The site is located on the east side of the narrow Lower Thingwall Lane along which is loose and sporadic development, including a

¹ *Lee Valley Regional Park Authority, R (on the application of) v Epping Forest District Council & Anor (Rev 1)* [2016] EWCA Civ 404

garden centre, caravan storage and a small number of houses of varied design and scale. Such development is interspersed by large verdant gaps.

15. The larger stable building would be replaced, in a broadly similar position within the plot, by the proposed static caravan. The removal of the stable buildings, shed and other existing features, would enhance the appearance of the site. There would be a significant set-back from the front boundary, and a large gap would remain between it and the highway. Consequently, the proposed static caravan would not appear inappropriately prominent within the plot and would not unduly dominate the street scene. In addition, in a context that includes residential uses, the proposal and the associated regular onsite parking and domestic paraphernalia, would not disrupt the prevailing pattern of development in the area, or unduly erode its rural character.
16. I find that the proposal would not harm the character and appearance of the area. It would therefore accord with LP policies WS 6 and WS 7 which require that development responds well to the local context and enhances the character of the area. It would also accord with the design aims of the Framework.

Other Matters

17. I have had regard to the other matters raised by interested parties, which include loss of privacy, highway issues associated with the implementation of the proposal, possible contamination on site, and shortage of equestrian land. However, I note the considerable separation distance between the proposed siting of the static caravan and the nearest dwelling, and the intervening highway and mature planting which would ensure that suitable living conditions would be maintained for its occupants. I acknowledge that a large vehicle would be required to bring the proposed static caravan to site, nonetheless, any disruption on Lower Thingwall Lane would be for a short period and, therefore, any disruption to users of the highway would be limited. Furthermore, I have been presented with no substantive evidence on the other matters. Thus, there is nothing before me that would lead me to disagree with the Council's conclusions on these matters and determine that the appeal proposal would result in material harm sufficient to justify its dismissal.
18. For the reasons set out above, I consider that the proposal is acceptable, and I can see no reason why it would set a precedent leading to harmful developments on other sites. Moreover, each case should be assessed on its own merits.

Conditions

19. The Council has suggested several conditions which the appellant has responded to. I have considered those conditions, and the comments received, against the Framework and Planning Practice Guidance. As a result, I have made some amendments for clarity and consistency.
20. I have, in the interests of certainty, attached a condition specifying that the development is carried out in accordance with approved plans. The condition includes, for the avoidance of doubt as to what is the development site, the location plan. Furthermore, as I have found the acceptability of the development to be reliant upon its size, I have also included the static caravan plans to limit its scale and massing.

21. As the approved plans condition includes the floor, and elevation plans, a further condition requiring the full details of the static caravan would not be necessary. However, in the interests of minimising its visual impact I have included a condition that requires the agreement of its colour. For the same reason and to improve biodiversity on the site, I have also imposed a condition relating to landscaping and habitat creation.

Conclusion

22. For the reasons given above I conclude that the appeal should be allowed.

Elaine Moulton

INSPECTOR