



Appeal Decisions

Inquiry held on 24, 25 and 26 February 2026

Site visit made on 26 February 2026

by Mark Harbottle BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 April 2026

Appeal A Ref: APP/Y2003/C/25/3374717

Appeal B Ref: APP/Y2003/C/25/3374718

Land at Willow Fields, Blackmoor Lane, Epworth Road, Haxey DN9 2LH

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended) (“the 1990 Act”) against an enforcement notice (“the notice”) issued by North Lincolnshire Council.
- The appeals are made by Ms Gabrielle Taylor, Willowfields Campsite Ltd. (Appeal A) and Mr Jonathan Martin (Appeal B).
- The notice was issued on 19 September 2025.
- The breach of planning control as alleged in the notice is: Without planning permission, the material change of use of land to a use for the purposes of camping, caravanning, siting of glamping pods and installation of electric hook up points; and for holding of events, rallies and other gatherings.
- The requirements of the notice are to: (i) Cease use of the land for the purposes of camping, caravanning, siting of glamping pods and for holding events, rallies and other gatherings; and (ii) Remove all caravans, glamping pods and electric hook up installations.
- The period for compliance with the requirements is 3 months.
- The appeals are proceeding on the grounds set out in section 174(2)(c), (d) of the 1990 Act.

Summary of Decisions: The appeals are dismissed and the notice is upheld with a correction and variations in the terms set out below in the Formal Decision.

Preliminary Matters

1. The Inquiry sat for 3 days. All evidence was given on affirmation.
2. Evidence submitted and given in the inquiry applies the name Willow Fields, or Willowfields, to most of the land affected by the notice and the name Walkabout Farm to the area shown on Land Registry title plan HS370068.¹ All references to Walkabout Farm in these decisions mean the land with that title number.

The Notice

3. It is agreed that the siting of glamping pods forms part of the alleged material change of use. It is also agreed that the notice should be corrected and varied as follows and that injustice would not arise:
 - The deletion of all instances of the wording “other gatherings.”
 - The deletion of “electric hook up points” and “electric hook up installations” and the substitution for each of “electric hook up points for caravans.”
 - The variation of requirement (ii) by the addition of the words “from the land.”
4. The appellants contend that the 3 glamping pods on the land are caravans as defined by section 29 of the Caravan Sites and Control of Development Act 1960

¹ Appendix 3 to the proof of evidence of Martin Wilson.

- (“the 1960 Act”). In this instance, that will turn on whether each is a *structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted.*
5. The Council questions whether one of the pods is a caravan by reference to its height. The 1960 Act does not stipulate any maximum dimensions for a caravan, whereas section 13 of the Caravan Sites Act 1968 (“the 1968 Act”) does so for a twin-unit caravan, which, among other things, *is composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices.* The final act of assembly of a twin-unit caravan is the joining together of the 2 sections.
 6. The pod exceeds the maximum overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level) of 3.05 metres stipulated in section 13(2)(c) of the 1968 Act. While that may be correct, the pod is a converted lorry trailer, and it has not been shown to have been assembled in the manner defined by the 1968 Act. It is therefore not a twin-unit caravan and the stipulation in section 13(2)(c) of the 1968 Act does not apply. Therefore, the glamping pods that were on the land when the notice was issued were caravans.
 7. I shall therefore correct the notice to allege “a use for the purposes of camping, caravanning (including the siting of glamping pods) and for holding of events and rallies, and the associated operational development of the installation of electric hook up points for caravans.” For conciseness, all future references to “the Unauthorised Use” should be taken to mean those uses. As alleged, this is a single mixed use of the land.
 8. While the appellants did not make appeals on ground (f),² they contend that the removal of all electric hook up points would impair their ability to use electrical equipment such as hedge trimmers to maintain the land. This was the source of the suggestion that the notice be varied to refer to electric hook up points for caravans.
 9. There is no evidence to suggest that adequate maintenance of the land had not been possible before the electric hook up points were introduced. They are installed on a one-per-pitch basis, and the appellants have not suggested that their motivation was other than to facilitate camping and caravanning. Any benefit they may offer in terms of site maintenance is therefore a perk. Consequently, it has not been demonstrated that the requirement to remove all electric hook up points is excessive and I shall not vary the notice to delete it.

Appeals A and B – the appeals on ground (c)

10. A certificate of exemption granted by Broken Camping and Caravanning Club (BCC) under paragraphs 4 and 5 of Schedule 1 to the 1960 Act took effect in March 2023 (“exemption BCC”). It was in effect for part of the land, referred to as Areas H and I in the inquiry, when the notice was issued. The exemption will expire on 6 March 2028.

² That the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by (the matters alleged in the notice) or, as the case may be, to remedy any injury to amenity which has been caused by any such breach.

11. The plan that accompanies the exemption certificate³ has an irregular broad boundary, evidently drawn by hand. I understand the actual boundaries to be defined to the north, south and east by the extent of the green shading and to the west by the red line separating this part from other green shaded land on that plan. These boundaries are recorded accurately by the green edging on the Council's plan at Appendix 2 to these decisions. All further references to areas H and I in these decisions mean this area.
12. The exemption under paragraph 4 allows any number of caravans on Areas H and I while those Areas are occupied and supervised by BCC. The exemption under paragraph 5 allows up to 5 caravans and/or motorhomes to be stationed by members of BCC on Areas H and I at any time.
13. As a result, a caravan site licence is not required for the use of this part of the land in the manner specified by paragraphs 4 and 5. Accordingly, that use has planning permission by reason of Article 3 and Part 5, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("Class A" of "the Order").
14. Article 3 and Schedule 2, Part 4, Class B ("Class B") of the Order also grant planning permission for temporary uses of land for not more than 28 days in total in any calendar year. Setting aside any camping or caravanning that may have occurred at the same time, many of the events described by the appellants could be permitted by Class B. Furthermore, Class B allows for the siting of motorised caravans (but no other type of caravan) and camping in connection with a festival.
15. Classes A and B therefore provide reasons why elements of the Unauthorised Use may not be in breach of planning control while exemption BCC is in effect. That is in respect of Areas H and I, delineated by the green edging on Appendix 2, in line with the permission granted by Class A of the Order and on all the land by reason of the permission granted by Class B of the Order.
16. However, as the notice alleges a mixed use without planning permission, it does not attack any element of that mixed use that is permitted by reason of Class A or Class B. So long as that is understood, there is no need for the notice to be corrected or varied in this respect.
17. Turning to the alleged mixed use, as I shall correct it, it has not been demonstrated that the material change of use of land to a use for the purposes of camping, caravanning (including the siting of glamping pods) and for holding of events and rallies without planning permission does not constitute a breach of planning control. The appeals on ground (c) must therefore fail.

Appeals A and B – the appeals on ground (d)

Evidence

18. Other exemptions have applied to different parts of the land, none the same as the part currently covered by exemption BCC, as follows:
 - A part with an exemption effective from an unspecified date in 2006 until June 2015 ("exemption CCC1") granted by the Camping and Caravanning Club ("CCC").

³ Appendix 29 to the proof of evidence of Martin Wilson.

- A different part of the site with an exemption granted by CCC from June 2015 to January 2021 (“exemption CCC2”).
 - A part with an exemption granted by Freedom Camping Club (FCC) effective from February 2021 to February 2022 (“exemption FCC”). This part included some land that had been subject of exemptions CCC1 and CCC2.
19. As noted above, paragraph 4 of Schedule 1 to the 1960 Act allows any number of caravans on land that is occupied and supervised by the organisation in question without the need for a caravan site licence. Copies of the certificates issued in respect of exemptions CCC1 and CCC2 have not been produced but correspondence from CCC indicates that it had only certified up to 5 caravans or motorhomes and up to 10 tents.
20. While that may be interpreted as meaning that caravan or motorhome rallies falling within paragraph 4 of Schedule 1 to the 1960 Act were not permitted prior to 2021, the only explicit reference to the issue of a certificate is in paragraph 5. That is logical because the use specified in paragraph 4 is to be carried out by an organisation that has itself been certified by the Minister under paragraph 12 of the same Schedule. Consequently, there should be no need for such an organisation, in this case CCC, to issue a certificate referring to paragraph 4 to the landowner. Nevertheless, exemptions FCC and BCC both state they were made under paragraphs 4 and 5.
21. The parties have provided different representations of exemption CCC1, in particular its western boundary. The area is edged yellow on the appellants’ plan, Appendix 3 to these decisions, and was described as Areas C and D in the inquiry. While Appendix 3 is annotated “according to LPA plans” it differs from what the Council identified.
22. The Council’s representation is edged blue on its plan, attached as Appendix 2. The certificate of exemption and any accompanying plan have not been produced, but the image attached to a May 2015 letter from CCC matches the Council’s representation, indicating that it is more accurate. Accordingly, future reference to areas C and D in these decisions means the area edged blue on Appendix 2.
23. The appellants contend that the Unauthorised Use has taken place across the whole of the appeal site, meaning that the use was also in breach of the terms of any permission granted by the Order. They need to demonstrate, on the balance of probabilities, that this occurred without significant interruption for not less than 10 years prior to the issue of the notice, such that enforcement action could have been taken throughout. They are, however, disadvantaged by the fact that they did not manage the appeal site until 2020 and no records of bookings or income from activities on the site prior to then have been produced. The appellants’ case therefore relies upon evidence from a range of sources from before 2020.
24. The appellants and 5 others have made statements recording their knowledge of activity at the appeal site. The appellants and 4 others appeared at the inquiry:
- Carl Thompson first visited the site in 2008 and lived in a cabin, then known as Clampit Creek, from early 2011 until 2016, during which time his former wife (who did not appear) took the lead in the campsite business.
 - Jonathan Martin began visiting and staying at the site in 2009 and moved there permanently in early 2012, acquiring Walkabout Farm in 2013. He

assisted with the operation of the site until he and Gabrielle Taylor began running it and organising events in 2020.

- Richard Torn has visited and stayed at the site since 2009.
- Shaun Macdonald also began to visit and stay in 2009, camping most summer weekends from 2010 onward and later staying in a motorhome.
- Paul Elliott first visited the site in 2013. He has pitched his caravan in various parts of the site since then, staying in it at weekends and working elsewhere during the week. The site is his postal address.
- Gabrielle Taylor has known the site since May 2019 and moved there that year. She and Mr Martin began to manage the site in 2020.

25. Janet Render did not appear at the inquiry but states that she began visiting in a caravan at weekends in 2014 and began to pitch it permanently in around 2015. She began to live in the caravan for periods of a week or more, alternating with her husband. The caravan is still on the site, but she has moved home and uses it less.
26. Those who appeared were consistent in affirming that people were not asked to confirm membership of the organisations that had granted the exemptions. This is in keeping with messages from other people in the appellants' evidence, which state that they camped or caravanned on the land and were not members. However, while the appellants have annotated numerous images of caravans, motorhomes and tents between 2010 and 2019 as "not [used by] CCC members," the users are unidentified, so the claims are unsubstantiated.
27. Entertainment was being put on in the newly built clubhouse when Mr Martin and Mr Torn began visiting in 2009 and Mr Martin affirmed that about 60 people would camp overnight afterwards. He would return most weekends, when he would usually see between 20 and 30 camping units. Mr Torn recalls seeing around 20 campers, rising as high as 100 when events were held.
28. Mr Martin began living at Walkabout Farm in 2012, by which time Mr Thompson had acquired Willow Fields, then known as Clampit Creek. Mr Macdonald began to camp at the site regularly around that time, having done so infrequently since 2009. He affirmed that other groups would camp regularly, and that a small number, around 12, would continue camping over winter. He brought a motorhome to the site in 2012, and it has remained there since, except when in winter storage or visiting other sites.
29. The picture of the site between 2009 and 2012 that emerges from the documentary and oral evidence is of it growing out of 'bike nights' centred on a motorbike workshop, whose owner began offering live music at the clubhouse. While exemption CCC1 was in effect, there does not appear to have been much regard for its conditions, indeed Mr Torn described the operation of the site as 'a free for all' with an 'open door' policy.
30. It is important to be clear about what Class A of the Order permits, specifically the use of land, other than a building, as a caravan site in the circumstances referred to in paragraph A.2. of Class A. Paragraph A.2 confirms that those circumstances are as specified in paragraphs 2 to 10 of Schedule 1 to the 1960 Act (cases where a caravan site licence is not required). Neither Act states that the use must be carried out in accordance with any terms that may be set by the certifying organisation.

This is of significance for exemption CCC1 because reference was made to CCC's expectation that the certified part would be separated from the rest of the land by a permanent border. Considering the wording of the 1960 Act and the Order, and without sight of the certificate that had been issued, it has not been demonstrated that the absence of the border invalidated what the legislation allowed.

31. From around 2012, when Mr Thompson and his then wife took over, the focus began to shift toward a clientele that Mr Martin describes as "new age hippie festival goers" with more family-orientated events.
32. Contemporaneous documentary evidence of activity, mostly in the form of social media posts, is attached to the appellants' following records:
 - Caravan and Camping Club exemption plan 2006 – 2014 (CCC 2006 - 2014).
 - Caravan and Camping Club exemption plan 2015 – 2019 (CCC 2015 – 2019).
 - Freedom Camping Club exemption plan 2020 – 2022 (FCC 2020 – 2022).
 - Broken Camping and Caravanning Club exemption plan 2023 – present.
33. Other records, including further social media posts, are presented in a bundle that had been assembled to support an application for a certificate of lawful use or development. While each social media post with an image carries a date, that is the date of the post and may not be when the relevant image was captured. This casts doubt upon the precision of some evidence, specific examples being:
 - Motorhomes in posts dated 23 April 2021 and 20 March 2022 appear to be identical and sited in the same places, indicating that the images were taken on the same day, not 11 months apart.⁴
 - Trees are in full leaf in images that were posted in March 2012, January 2014, January 2015 and February 2016.⁵
34. This unreliability in the stated dates means that I have not taken up the appellants' invitation to type "what day of the week was [date]?" in an internet search.
35. Caravans, motorhomes and tents may appear as distant features in photographs that were taken at ground level. If these are not adjacent to known features, such as a building or hedgerow, their precise siting is unclear. This is particularly significant in terms of whether they can be held to be within an area subject to an exemption at that time.
36. The oral evidence of the appellants' witnesses is consistent in portraying the appeal site as having operated for some years with little knowledge or interest in the terms of the various exemptions or what the Order permitted.
37. It appears that things changed when the appellants took control and Ms Taylor signed a declaration that she had read and understood the terms and conditions of exemption CCC2 in September 2020. However, there is ambiguity about where within the appeal site the appellants' witnesses saw the Unauthorised Use taking place at any given time, referring to 'the site,' 'the field,' or 'the campsite.' However, some referred to 'the western field' and I understand that to mean Areas C to G described below.

⁴ FCC 2020 – 2022, images 9 and 19.

⁵ CCC 2006 – 2014 (images 8 and 10) and CCC 2015 – 2019 (images 1 and 2).

What needs to be demonstrated

38. Evidence was given at the inquiry by reference to 9 parts of the land (Areas A to I). Apart from Area B, those areas equate, individually or with others, to parts of the land to which exemption certificates have applied at various times.
39. If the appellants are correct that all the land affected by the notice had been consistently used for the Unauthorised Use over a period exceeding 10 years, that would point to the land comprising a single planning unit. However, the land may not have been a single planning unit if, at any time, a smaller area which, as a matter of fact and degree, is physically separate and distinct, and occupied for different and unrelated purposes can be identified.
40. The changes in exempted areas and the absence of any exemption between February 2022 and March 2023 may, if the evidence supports it, amount to changes in the planning unit. If a permission granted by the Order was complied with, that will have opened a new chapter in the planning history of the relevant part of the land. If so, the clock would have been reset for that part of the land in terms of acquiring immunity from enforcement action.
41. Nevertheless, the appellants rely on their appeals on ground (c) for Areas H and I and have restricted their appeals on ground (d) to Areas A to G. They contend that, for any of those Areas with an exemption certificate in effect at the time, the Unauthorised Use exceeded what the Order permitted. If that can be demonstrated, it may contribute to the accrual of a period of not less than 10 years during which enforcement action could have been taken in respect of that Area, which may lead to success on ground (d).
42. It therefore needs to be demonstrated that the change of use to the Unauthorised Use was made on or before 19 September 2015 ("the Relevant Date") and continued thereafter without significant interruption for not less than 10 years. The onus is on the appellants to demonstrate these things, in each instance on the balance of probabilities. It is not necessary for there to be year-round activity to demonstrate that the Unauthorised Use continued without significant interruption, owing to the seasonal nature of camping, caravanning and outdoor events.

Assessment - events

43. The documentary evidence of events is hard to gauge. Some descriptions in social media posts and elsewhere, for example "Party Weekend with the Northerners on Tour" or "Duke of Edinburgh" may simply be camping. Other events may be rallies, for example "self build campervan meet." As already noted, the date of a social media post may not be when the activity depicted or described took place, so it is difficult to pinpoint exactly when some events were held.
44. However, Mr Elliott estimated in his oral evidence that some 10 events had been held each year prior to the appellants taking control in 2020. This tallies with Mr Macdonald's oral evidence; he said there had been, on average, 1½ events each month between Easter and the end of September. Frequent references were made to bonfire nights and if these are added, the average is around 10 events per year.
45. Midweek 'bike nights' were also held but they were associated with the motorcycle workshop that burnt down in 2011 or early 2012, so any additional days they may have accounted for ended more than 10 years before the notice was issued.

46. Some events were titled as rallies but do not appear to have been caravan or motorhome rallies, as may be allowed by Class A of the Order. There is little evidence of the precise nature or duration of the identifiable events, although flyers and social media posts indicate that some were held over 2 days⁶ and a smaller number over 3 days.⁷
47. Even allowing for this, the evidence does not demonstrate, on the balance of probabilities, that events exceeded the 28 days permitted for temporary uses of land by Class B of the Order in any year prior to 2020. Furthermore, there is a significant gap in the documentary evidence because no events are recorded for 2019. While the appellants have increased the range and frequency of events since 2020, they have not demonstrated that they began to exceed what Class B permitted on or before the Relevant Date. A 10-year period in which enforcement action could have been taken against the holding of unauthorised events has therefore not accrued, so the appeals on this ground must fail in that regard.

Assessment – camping, caravanning and rallies

48. Even with the uncertainty over the precise locations of some images and the date they were captured, the appellants' documentary and oral evidence is sufficient to demonstrate that camping and caravanning have taken place on the land affected by the notice since 2010. While the documentary evidence leaves some doubt about the regularity of activities, the oral evidence depicted frequent weekend camping and caravanning through the season over the subsequent years, up until the notice was issued.
49. I afford significant weight to the oral evidence given on affirmation. However, it must be acknowledged that, with few exceptions, the appellants' witnesses could not be precise about dates, the numbers of caravans, motorhomes or tents, and where they were pitched. That is not to criticise the witnesses, who were sincere in their efforts to recall details of things that happened some years ago and which they had not imagined they would need to remember. It does, however, limit the usefulness of their evidence in assisting in whether permissions granted by the Order for specific parts of the land were adhered to.
50. It is also apparent that the word 'rally' has been used with different meanings. As certified by exemptions FCC and BCC and permitted by Class A of the Order, it may be described as a gathering of people using caravans and or motorhomes organised by the exemption organisation. That may not include some activities described as rallies, for example, bike rallies, which may instead be events.
51. While the appellants refer to objections made by local people as evidence of rallies being held on the land, those representations appear to relate to activity since 2020, after the Relevant Date. From the images produced by the appellants showing activity prior to 2020, during exemptions CCC1 and CCC2, caravans or motorhomes in numbers exceeding 5 are infrequent:

- 2011 (September) 10 caravans, 3 motorhomes and a tent
- 2012 (March) 12 caravans
- 2018 (June) Up to 15 caravans, a motorhome and 2 tents

⁶ Including Hillbilly Rally and Camp 2011, Up in Smoke Bike Rally 2012, Animal Antics 5 2015.

⁷ Hillbilly Hog Roast 2010, Good Willow Gathering 2018.

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|--------|--------|--|
| | (July) | 13 caravans, 5 motorhomes and 15 tents |
| • 2019 | (May) | 16 caravans, a tent and 2 motorhomes |
| | (June) | 7 caravans and a motorhome |

52. As before, the dates are when the content was posted, not necessarily when the activity took place. An image posted in January 2015⁸ showing 3 caravans and 5 motorhomes has not been included but it shows trees in full leaf, so it must have been captured in an unidentified earlier year.

53. There is no evidence that these instances were occasions when the land was occupied and supervised by the CCC, so it would seem the exemption under paragraph 4 of Schedule 1 to the 1960 Act did not apply. Furthermore, as more than 5 caravans and/or motorhomes were on the land, the exemption under paragraph 5 of the same Schedule did not apply either. The activity depicted was therefore not permitted by Class A of the Order and was unauthorised.

54. For convenience, I shall review the evidence as it was presented, relating to Areas A to G. For each Area, or any identifiable part of it, it will be necessary to establish whether a continuous 10-year period of use for any or all of the purposes specified in the notice has been demonstrated.

55. It will, however, be necessary to consider each exempted part as a whole when considering whether what occurred was permitted by the Order, by reference to steps 1 and 2 below. Both must be considered on the balance of probabilities.

Step 1: Whether it has been demonstrated that any exempted part was used during the period of that exemption in a way that was not permitted by the Order.

If that is not demonstrated, and a permission granted by the Order was therefore in effect, it will have initiated a new chapter in the planning history of the exempted part in question, and the following step will fall to be considered.

Step 2: Whether it has been demonstrated that not less than 10 years' use for unauthorised camping, caravanning and rallies accrued without significant interruption after the end of the exemption period and the corresponding permission granted by the Order ceased.

Exemption CCC1 and Areas C and D

56. Area C has only been covered by exemption CCC1. Immunity from enforcement action will depend on whether it can be demonstrated that an unauthorised camping, caravanning and rally use took place over a 10-year period without significant interruption and was not superseded by another use.

57. Area D was also covered by exemption FCC, in effect from February 2021 to February 2022. It will therefore be necessary to consider whether it has been demonstrated that the use permitted by the Order did not take place during that period. If that is not demonstrated on the balance of probabilities, lawful use during exemption FCC will have opened a new planning chapter that could not have been followed by 10 years' unauthorised use before the notice was issued.

58. For the purposes of this assessment, 'Walkabout Farm' means the larger part of Area C bounded by Areas B, D and G. It was included in the land subject to

⁸ Image 1 attached to CCC 2015 – 2019.

exemption CCC1 when it came into effect but was excluded in 2012, following a change in ownership. It was not covered by any subsequent exemption.

59. There is little documentary evidence of any use of Walkabout Farm prior to 2013, when Mr Martin made the planning application referred to below. An image from September 2011⁹ shows a caravan that could be next to or on Walkabout Farm but is not clear either way. However, Mr Macdonald affirmed that there had been a paddock with 7 horses on Walkabout Farm at some time before Mr Martin acquired it, which would have prevented camping, caravanning and rallies on at least some of the land. Mr Macdonald further affirmed that a fence had separated Walkabout Farm from the rest of the appeal site between 2009 and 2012.
60. Mr Martin bought Walkabout Farm in 2013 and made a planning application that year describing it as a free-range poultry farm, with emus and pigs in 2 existing timber sheds. The submitted existing site layout drawing¹⁰ also showed subdivision of the land, including separate enclosures for pigs, emus and sheep.
61. That is consistent with the aerial image from September 2012, which shows some subdivision of Walkabout Farm. There are variations in the colour of the ground in that image, suggesting that parts were put to different activities at the time. While no horses or livestock can be seen, the lighter shaded areas resemble how paddocks or other animal enclosures might appear. Some subdivisions appear later in a still of a YouTube post from April 2022¹¹ and in an aerial image from July 2015.
62. However, at the inquiry, Mr Martin affirmed that agriculture was not an existing use in 2013, but something he had proposed to justify retaining the use of the southern cabin as a dwelling. However, he also said he had owned 5 chickens and had kept emus on the land until they ran off, after which he got rid of them. Despite these ambiguities, activity that precluded camping, caravanning and rallies evidently took place on some parts of Walkabout Farm around 2013, possibly earlier judging by the September 2012 aerial image.
63. A new fence separating Walkabout Farm from the rest of the appeal site was erected after Mr Martin arrived. He was unsure when that was when questioned but he did affirm that it had been when a man named Mick Shore held a scooter rally. Mr Macdonald provides a reliable date for this at paragraph 9 of his proof of evidence, confirming that Mr Shore's scooter rally coincided with his daughter's 18th birthday party in June 2013. The images of the fence indicate that it would have prevented camping, caravanning and rallies from encroaching onto Walkabout Farm. Considering that and Mr Martin's affirmation that the fence was still in place in June 2019, it must have separated Walkabout Farm from the rest of the appeal site for about 6 years.
64. Nevertheless, Mr Martin described Walkabout Farm and the rest of the appeal site as "separate but doing the same thing" while this fence was in place, suggesting that camping, caravanning and rallies took place on Walkabout Farm in the 6-year period it was up. However, he also affirmed that any tents or caravans on the land at that time had been "my mates coming round for fun at the weekend" and not a commercial enterprise. Mr Martin described how he and his friends would drive around Walkabout Farm, including taking a vehicle onto a large seesaw.

⁹ Image 6 attached to CCC 2006 – 2014.

¹⁰ Appendix 12 to the proof of evidence of Martin Wilson.

¹¹ Image 9 attached to FCC 2020 – 2022.

65. That accords with Mr Macdonald's description of Walkabout Farm as "Johnny's garden" after Mr Martin acquired it and until the fence came down in 2019. He described the activities that took place there during that time as "driving cars" and a "big boy's playground" and Mr Martin gave similar descriptions.
66. As described by Mr Martin and Mr Macdonald, any person staying at Walkabout Farm in a tent or caravan during the 6 years when the fence was up did so because they were staying over when visiting Mr Martin there. I understand that he had to stop living in the southern cabin when an enforcement notice came into effect, but I have not been told when that was. Consequently, it has not been demonstrated that the activity shown in the August 2014 image was anything other than friends visiting Mr Martin when the land in question was being used for purposes incidental to his enjoyment of the dwellinghouse.
67. Viewed in the round, the appellants' evidence fails to demonstrate that Walkabout Farm was used for camping, caravanning or rallies for some 6 years between 2013 and 2019. That is a significant break in continuity and, along with the erection of the fence, it points to a new chapter in the planning history and, in all probability, the existence of a separate planning unit at Walkabout Farm. A 10-year period in which unauthorised camping, caravanning and rallies could have taken place on Walkabout Farm has not elapsed since that break. The appeals on ground (d) must therefore fail for the southern part of Area C.
68. Turning to Area D and the northern part of Area C, at least 12 caravans are in Area D in an image posted in March 2012, but as already noted, owing to trees in full leaf, it must have been captured earlier. However, the clubhouse can be seen in the distance, so it must have been when exemption CCC1 was in effect, and it shows a breach of the 5-caravan limit. Another image posted in August 2013 has a tent on Area D in the foreground. Caravans in an image posted in June 2014 could be in Area D or in Area E. However, these later images do not exhibit any breach of what the Order permitted.
69. While an image posted in January 2015 but captured earlier¹² shows 3 caravans and 8 motorhomes, the majority appear to be in Area E, then not subject of any exemption, so a breach of what the Order had permitted is not evident.
70. As already noted, the evidence of the appellants' witnesses is imprecise when it comes to pinpointing whether camping, caravanning and rallies occurred on any given part of the appeal site on any occasion. In view of this and the sparse documentary evidence noted above, it has only been shown that Area D and the northern part of Area C were used in breach of what the Order permitted on one occasion in March 2012. Noting that these Areas are in the centre of the appeal site, that is consistent with the view expressed by witnesses in the inquiry that people prefer their pitches to be at the edge of a field. The inference is that these Areas may only have been used for camping and caravanning at the busiest times.
71. It has therefore not been demonstrated, on the balance of probabilities, that enforcement action could have been taken throughout the period when exemption CCC1 was in effect. Success on ground (d) for Area D and the northern part of Area C will therefore be dependent on evidence of unauthorised camping, caravanning and rallies from June 2015 onward.

¹² Image 1 attached to CCC 2015 – 2019.

72. Caravans in an image posted in May 2017 could be in Area D or in Area E, so that evidence is inconclusive. Cars are parked in Area D in an image posted in August 2017, but no camping or caravanning is evident. Caravans, motorhomes and tents are visible in Area D and the northern part of Area C in images posted in June and July 2018 and May 2019. Images posted in subsequent years, when exemptions FCC and BCC applied, indicate more frequent use of Area D with tents, caravans and motorhomes.
73. Viewed as a whole and on the balance of probabilities, the appellants' evidence does not demonstrate that Area D or the northern part of Area C were used for camping caravanning or rallies from the end of exemption CCC1 to June 2018. This is a significant break of some 3 years. Accordingly, a 10-year period of camping, caravanning or rally use of those Areas has not been demonstrated. This is regardless of whether the land was used other than as permitted by the Order between January 2021 and February 2022. The appeals on ground (d) must therefore fail in respect of Area D and the northern part of Area C.

Exemption CCC2 and Areas F and G

74. The available documentary evidence of unauthorised use of these Areas prior to exemption CCC2 is an aerial image posted in September 2011 showing caravans and a tent in Areas F and G and an image posted in May 2015 showing caravans in what appears to be Area F. Mr Elliott describes this location as "the south eastern corner of the western field" and states that one of the caravans in the latter image is his, which he had moved there a few months after first arriving at the site in 2013.
75. Mr Thompson affirmed that Area G had been popular for overnight camping after the bike nights that were held while the motorcycle workshop was in operation. He also affirmed that it was favoured by a group with 3-wheeled motorcycles. It is not very clear from the evidence when this was, but it is most likely to have been before the shift in clientele from 2012 onward that Mr Martin described.
76. The foregoing is sufficient to demonstrate, on the balance of probabilities, that unauthorised camping and caravanning took place in Areas F and G prior to exemption CCC2.
77. While exemption CCC2 was in effect, aerial images posted in July 2018 show caravans, motorhomes and tents over most of the appeal site, including in Areas F and G.¹³ However, the numbers within the exempted part are difficult to judge, owing to the photographs having been taken from a height. It is therefore not clear this shows a breach of what the Order permitted. An aerial image posted in May 2019 shows 2 caravans in Area G, not in breach of what the Order permitted.
78. As before, while witnesses have affirmed that caravans, motorhomes and tents were on the appeal site in numbers significantly above what the Order permitted at various times, they were not precise about where they were pitched at any time.
79. Considered in the round, the appellants' evidence demonstrates that Areas F and G were used for camping and caravanning while exemption CCC2 was in effect. However, that evidence does not demonstrate that this was in breach of the permission granted by the Order. Accordingly, I can only conclude that the use of Areas F and G while exemption CCC2 was in effect from June 2015 to January

¹³ Image 8 attached to CCC 2015 – 2019.

2021 was lawful. This lawful use was a new planning chapter that reset the clock for immunity and a subsequent 10-year period for unauthorised use to acquire immunity has not elapsed. For these reasons, the appeals on ground (d) must fail for Areas F and G.

Exemption FCC and Areas A, D, E and F

80. This exemption covered 2 parcels of land from 5 February 2021 to 4 February 2022. It was during this period that significant efforts were made to promote camping and caravanning, including the provision of electrical supply.
81. The appellants have produced screenshots of booking data held in a database from 2021 onward. Because of the way this evidence is presented, with no commentary, it is not possible to be sure exactly what was booked. It does, however, indicate that more bookings were made than in 2020. It also shows peaks in activity in May and August, consistent with seasonal caravanning and camping. However, even if I were to accept that these records are of unauthorised camping, caravanning and rally use, they do not state where within the appeal site the activity took place.
82. The appellants say Area A was intended for up to 5 touring caravans, although Mr Martin expressed the view that the need to achieve adequate fire separation made it too small for that number. No other exemption has applied to Area A.
83. While the appellants state that Area A had been used for camping since 2006, none of their witnesses knew the site before 2008. There is documentary evidence of a single caravan and a folded trailer tent on Area A in an image posted on social media in March 2011.¹⁴ The trailer tent was owned by Mr Macdonald, who explained that he would pitch it on other parts of the land and store it in Area A when he was away. It is unclear who owned the caravan and it is impossible to tell from the presented evidence whether it was occupied or in storage, the latter not being attacked by the notice.
84. Aerial images from 2012, 2013 and 2019 show much of Area A grassed over and unused. No documentary evidence of its use when exemption FCC was in effect has been produced. A photograph posted in May 2022, 3 months after the exemption ended, shows a caravan in a pitch comprising a gravelled bay and a grassed area with a picnic bench. Even if that image had not been captured while exemption FCC was in effect, what it shows lends weight to the view that the pitches had been formed and used in Area A to take advantage of the permission granted by the Order while exemption FCC was in effect.
85. Accordingly, the appellants have not demonstrated, on the balance of probabilities, that the use of Area A between February 2021 and February 2022 was unauthorised. Its lawful use during that period was a new planning chapter that reset the clock for immunity and a subsequent 10-year period for unauthorised use to acquire immunity has not elapsed. For these reasons, the appeals on ground (d) must fail for Area A.
86. Turning to Area D, as noted earlier, a 10-year period of camping, caravanning or rally use has not been demonstrated on the balance of probabilities. Whether it was used in ways that the Order did not permit can make no difference to that.

¹⁴ Image 5 attached to CCC 2006 – 2014. The caravan to the left is in Area B

87. Area E has been described as the most used part of the appeal site, although it was not the subject of any exemption before FCC. Mr Martin identifies people who have used it for seasonal pitches, meaning occupied longer-term but not necessarily year-round, since 2010. These include Mr Elliott and Mr Macdonald. Mrs Render's statement indicates that she pitched her caravan there as well.
88. Mr Elliott affirmed that he had stayed in Area E between 2013 and 2015, returning there later, after 2 years in Area G. His caravan is visible in Area E in an image posted on social media in June 2019. He said that he and others moved their caravans to this part of the appeal site, which he called the northern hedge, when the appellants bought the land in 2020, although he moved his to a concrete pad in Area B a year later.
89. Mr Macdonald affirmed that he camped in a trailer tent most summer weekends from 2010 onward and that Area E was one of his 2 usual locations. He brought a distinctive silver motorhome to the appeal site in September 2012, and it can be seen on Area E in photographs during camping and caravanning seasons from then on. He would remove it from Area E for winter storage.
90. Further documentary evidence in which camping and caravanning can be identified on Area E prior to exemption FCC coming into effect is in images posted in 2010, 2011, 2013, 2014, 2015, 2017, 2018 and 2019.¹⁵
91. The foregoing demonstrates, on the balance of probabilities, that Area E was used for unauthorised camping and caravanning for over 10 years before exemption FCC came into effect. It therefore needs to be determined whether Area E was used in breach of the permission granted by the Order while that exemption was in effect, because otherwise it will constitute a new planning chapter that reset the clock for immunity.
92. Exemption FCC was made under paragraphs 4 and 5 of Schedule 1 to the 1960 Act, meaning that up to 5 caravans or motorhomes were allowed unsupervised (paragraph 5) and that larger numbers could be present if the land was occupied and supervised by FCC (paragraph 4). While the appellants suggest the wording "for the purpose of recreation only, camping and caravanning" in the certificate precluded rallies I see no reason why it should. The appellants also state that FCC only allowed rallies that did not last for more than 5 days and for no more than 28 days in total in a single year, although that is not apparent from the certificate.
93. Documentary evidence of activity within the exempted area when exemption FCC was in effect is in images in social media posts from 3 days in April, one day in July and another in August 2021 and a photograph from April 2021.¹⁶ While 3 of these images show more than 5 caravans or motorhomes within the exempted area, the dates of posting coincide with rallies on a list provided by FCC. Mr Martin affirmed that he and Ms Taylor uploaded the data on the list and that FCC did not check it.
94. The list of rallies includes 3 that covered more than 5 consecutive days, and the annual total exceeds 28 days, although some entries appear to be duplicates and only a few are specifically named as rallies. However, as already noted, the certificate does not identify either limit and, even if it had, neither the 1960 Act nor the Order state that what they permit is constrained by the content of a certificate.

¹⁵ Images 2, 6, 9 and 11 attached to CCC 2006 – 2014 and images 1, 3, 4, 8 and 9 attached to CCC 2015 – 2019.

¹⁶ Images 8 – 11, 15 and 17 attached to FCC 2020 – 2022.

Other entries on the list such as ‘nothing wrong with that,’ ‘dog agility training,’ ‘meet Oz,’ ‘bar mitzvah,’ and ‘Simon’ are unlikely names for a caravan or motorhome rally. Furthermore, the numbers who attended on each listed occasion are not recorded, so it is not clear whether they all exceeded the limit of 5 permitted by reason of paragraph 5 of Schedule 1 to the 1960 Act.

95. Unlike the situation when exemptions CCC1 and CCC2 were in effect, the appellants had applied for exemption FCC when they were running the site. Considering this, the lack of precise evidence of how the site operated while the exemption was in effect is unfortunate. Viewed overall, the evidence to suggest a continuous use for camping, caravanning and rallies that was not permitted by the Order, such that enforcement action could have been taken during the year that exemption FCC was in effect, is weak.
96. Accordingly, the appellants have not demonstrated, on the balance of probabilities, that the use of Areas D, E and F when exemption FCC was in effect differed from what the Order permitted. Their lawful use during that period was a new planning chapter that reset the clock for immunity and a subsequent 10-year period for unauthorised use to acquire immunity has not elapsed. For these reasons, the appeals on ground (d) must fail for Areas D, E and F.

Area B

97. This has never been the subject of an exemption certificate. At least one photograph taken in September 2010 shows a caravan stationed on the strip of land along the northern part of Area B, between the site of the workshop and Area E, and including some of what is now the glamping area. However, a March 2014 photograph¹⁷ shows this part fenced off from the rest of the appeal site, with a polytunnel and animal enclosures on it, indicating that it was in agricultural or horticultural use at that time. It is unclear how long that separate use persisted, but the strip can be clearly seen as a distinct area, albeit largely overgrown, with the polytunnel still in place in a photograph taken in May 2019.¹⁸
98. Neither party referred to this matter at the inquiry, so I must draw conclusions from the documentary evidence. It does not portray camping, caravanning and rallies on this strip between March 2014 and May 2019. Collectively, the evidence indicates those activities did not take place on this part of the land for over 5 years and that an agricultural or horticultural use took place instead, at least for some of that time. Accordingly, it is most probable that this strip became a separate planning unit and a reintroduction of camping, caravanning and rallies on it could not have occurred until after the Relevant Date. It has therefore not been demonstrated, on the balance of probabilities, that the use of this part of Area B for camping, caravanning and rallies was immune from enforcement action when the notice was issued.
99. A small hard surface to the east of the site of the former workshop and north of the northern cabin can be seen in aerial images from September 2012 onward and in photographs from September 2010 and May 2019. The appellants’ witnesses described this as a concrete pad and although it appears unused in the July 2015 aerial image, it appears to have caravans or motorhomes on it in all other images.

¹⁷ Proof of evidence of Carl Thompson, paragraph 20.

¹⁸ Image 9 attached to CCC 2015 – 2019.

100. Paul Elliott states that he pitched his caravan on the concrete pad, living there briefly in 2013 and from 2020 onward. Photographs in Mr Thompson's and Mr Macdonald's proofs of evidence show caravans on this area in 2010 and 2011. The presence of large gas bottles next to the caravan in this position in 2010 suggests it could have been there, and in use, for some time. More than one witness affirmed that Mr Thompson's relatives frequently stayed in caravans near the northern cabin while he and his wife lived there, at least until they separated in 2016.
101. However, Mr Macdonald also states that he would sometimes store his trailer tent on the concrete pad when he was away from the site during the week. It would therefore appear that a storage use, not part of the Unauthorised Use, also occurred on this part of Area B, so there may have been a mixed use not identified in the notice. Mr Martin affirmed that storage of caravans only occurred in Area B, although precise locations other than the concrete pad have not been specified. Witnesses were clear that winter storage is impractical on grass, so it would appear to have started on the concrete pad and grown with the spread of hard surfacing evident between the June 2019 and April 2025 aerial images.
102. Mr Martin affirmed that a caravan had been stationed near the site entrance, for the use of a gatekeeper at weekends. It is not clear whether the gatekeeper stayed in the caravan overnight or just used it for shelter or as a welfare facility while on duty. In the absence of further information, especially when the practice began, I can afford very little weight to this evidence.
103. Overall, the evidence demonstrates some stationing of caravans in Area B since 2010, increasing after the new hard surface was laid near the northern boundary from around 2019. Caravans have been more frequently on the concrete pad since 2010, but some of that would have been storage, especially before more hard surfacing was laid in 2019 or later. No evidence of camping or rallies on this Area has been produced. Consequently, it has not been demonstrated, on the balance of probabilities, that use for camping, caravanning and rallies occurred across Area B over a 10-year period before the notice was issued.
104. It may be that continuous use of part of Area B, most likely the concrete pad, could be demonstrated. However, the evidence before me is not sufficiently precise to identify the exact use, period, or relevant area involved.

Conclusion on ground (d)

105. For the reasons given, it has not been demonstrated, on the balance of probabilities, that it was too late to take enforcement action against the Unauthorised Use in Areas A, B, C, D, E, F and G on the date the notice was issued. The appeals on ground (d) must therefore fail.

Appeals A and B – Conclusions

106. The use of Areas H and I for camping, caravanning and rallies currently exists by reason of the permission granted by Class A of the Order while exemption BCC is in effect. Events may also be permitted on all the land, insofar as the permission granted by Class B of the Order allows. However, as those points relate to authorised development and the notice only attacks development without planning permission, I shall not correct or vary it in this regard and the appeals on ground (c) cannot succeed.

107. The appeals on ground (d), limited to Areas A to G, must fail for the reasons given above.

Appeals A and B – Formal Decisions

108. It is directed that the notice is corrected in section 3 by the deletion of the words “a use for the purposes of camping, caravanning, siting of glamping pods and installation of electric hook up points; and for holding events, rallies and other gatherings” and the substitution of the words “a use for the purposes of camping, caravanning (including the siting of glamping pods) and for holding of events and rallies, and the associated operational development of the installation of electric hook up points for caravans.”

109. It is directed that the notice is varied in section 5 by:

- The deletion of the words “camping, caravanning, siting of glamping pods and for holding events, rallies and other gatherings” and the substitution of the words “camping, caravanning (including the siting of glamping pods) and for holding events and rallies” in requirement (i).
- The deletion of the words “electric hook up installations” and the substitution of the words “electric hook up points for caravans” and the addition of the words “from the land” in requirement (ii). The requirement will thus read, “Remove all caravans, glamping pods and electric hook up points for caravans from the land.”

110. Subject to the correction and variations, Appeals A and B are dismissed.

Mark Harbottle

INSPECTOR

APPEARANCES

FOR THE APPELLANTS:

Kate Olley

She called

Jonathan Martin – appellant, Appeal B

Richard Torn

Gabrielle Taylor – appellant, Appeal A

Carl Thompson

Shaun Macdonald

Paul Elliott

FOR THE LOCAL PLANNING AUTHORITY:

Shemuel Sheikh

He called

Martin Wilson - Planning Enforcement Officer, North Lincolnshire Council

Documents submitted at the inquiry

1. Letter of notification of the inquiry and a list of addresses it was sent to.
2. Plan showing the locations of the site notices.

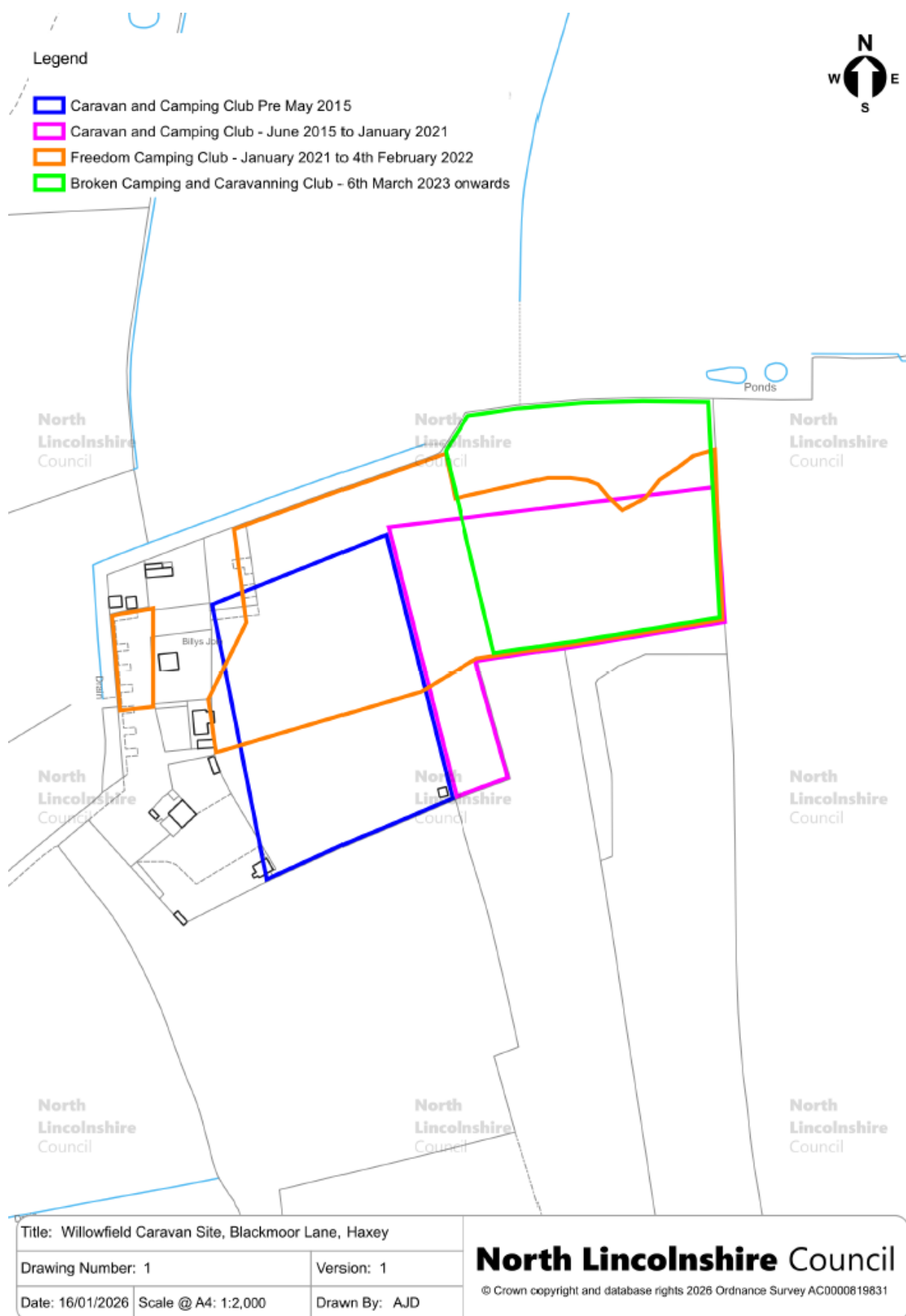
Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/Y2003/C/25/3374717	Ms Gabrielle Taylor, Willowfields Campsite Ltd.
Appeal B	APP/Y2003/C/25/3374718	Mr Jonathan Martin

Appendix 2

Exempted areas as identified by the Council



Appendix 3

Exempted areas and Areas A to I as identified by the appellants

