



Appeal Decision

Site visit made on 24 February 2026

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 May 2026

Appeal Ref: APP/E2340/W/25/3372886

Prospect Farm Caravan Site, Lenches Road, Colne BB8 8ET

- 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 Patrick Culligan against the decision of Pendle Borough Council.
 - The application reference is 25/0338/FUL.
 - The development proposed is siting of an additional 5 no. static park homes.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs has been made by Mr Patrick Culligan against Pendle Borough Council. This is the subject of a separate decision.

Preliminary Matter

3. The Council adopted the Pendle Local Plan Fourth Edition 2021-2040 (the Local Plan) on 18 December 2025, replacing the Core Strategy (2015) (the CS) and the Replacement Pendle Local Plan (2006). The main parties have commented on the implications of this change to the policy context. For the avoidance of doubt, my decision has been made against the new Local Plan of December 2025.

Background and Main Issues

4. The application was recommended for approval by Council officers. However, the committee ultimately voted to refuse permission on the grounds of unacceptable landscape and visual impacts and failure to demonstrate that ecological impacts would be acceptably mitigated.
5. Subsequently, the adoption of the new Local Plan has changed the policy context in relation to the location of housing. As such, I consider this an additional main issue of the appeal. I have had regard to the main parties' comments on this matter in reaching my decision.
6. Therefore, the main issues in this case are:
 - i) whether the proposal would represent a suitable location for residential development, having regard to relevant development plan policy;
 - ii) the effects of the proposal on landscape character, and
 - iii) the effects of the proposal on existing trees and consequential effects on ecology and biodiversity.

Reasons

Location for Development

7. At the time of the Council's decision, Policy LIV1 of the CS supported development of sustainable sites outside but close to a settlement boundary which made a positive contribution to the five year supply of housing land. The Council accepted that the site was in a sustainable location and the proposal was considered to contribute positively to the supply of housing, in accordance with Policy LIV1.
8. Under the new Local Plan, Policy SP02 sets out the spatial strategy for the area. The site lies adjacent to, but outside of the settlement boundary of Colne, which is classified as a main town at the top of the settlement hierarchy. The policy states that proposals outside a defined settlement will only be permitted for exceptions to Policy DM09 that are identified in the National Planning Policy Framework (the Framework), other development plan documents or a made neighbourhood plan. The Council states that it is now able to demonstrate a 5 year supply of deliverable housing sites, a position not challenged by the appellant. Policy DM09 permits development in the countryside in a number of specific circumstances, which do not include proposals for market housing or static park homes.
9. The appellant argues that Policies SP02, DM09 and DM26 are concerned with controlling the location of new development in the countryside, not expansion of existing lawful uses. However, the policies all refer to 'development' in general terms, which would include that sought under this proposal. There is no exception made for park homes, and none of the policies provide for expansion of existing developments in the manner proposed. As such, the proposal would conflict with the spatial strategy of the development plan as expressed by the above policies.
10. I recognise that the Council's committee report acknowledged that the site is located close to Colne, one of the highest order settlements in the district, which has a wide range of local facilities that occupants of the development could support. However, access to the town, and the nearest public transport, is by way of two steep hills either side of Colne Water, which would not be conducive to regular access by sustainable modes of transport such as walking or cycling. Residents would therefore be reliant on the private car for most journeys, a point made by the local highway authority in its consultation response. In these respects, whilst the additional park homes would accord with the Framework in terms of maintaining the vitality of rural communities, there would be conflict in terms of promoting sustainable transport. These are material considerations I factor into the overall planning balance.

Landscape Character

11. The site is an established caravan park located off Lenches Road with 38 static park homes laid out around a central spine road and a number of smaller access roads. The proposal seeks the siting of a further five static park homes, three to the south-western side of the site and two to the south-eastern side.
12. The site is located to the southern side of Colne, on a hillside that rises steeply from Colne Water and affords broad views over the town. The site is bordered by a mature tree line to its northern side that filters views of some static park homes from viewpoints in the town centre. The majority of the park homes are located to the northern half of the site on flatter land. A small cluster of park homes in the

south-eastern corner extends up the steeper land to the southern half, which is otherwise undeveloped and covered with vegetation. A further, intermittent tree line forms the southern boundary and separates the site from open, agricultural land beyond which rises further in height.

13. The additional park homes would be sited close to the existing park homes, continuing the organic, clustered layout that is already established. Those to the south-western corner would be located on slightly higher land, but would still be largely screened in views from the north by the existing park homes (Nos 9, 10 and 11). The two units proposed to the south-eastern corner would be at the highest point on the site, but again would be set near to existing units. As such, the park homes would remain close to the existing development envelope and would not result in a conspicuous extension of the developed area of the site.
14. The southern side of the site is enclosed from the wider countryside by the rising topography and existing boundary tree line. Therefore, the proposals would not detract from longer range views towards Colne from the south. The park homes would be located to the interior of the site and would not be prominent from Lenches Road as they would be filtered by roadside vegetation and seen in context with the wider caravan park from the main entrance.
15. The Council's principal concern is the impact of the proposal on certain views and it criticises the appellant for not undertaking a landscape and visual impact assessment (LVIA), as required by Policy CNDP13 of the Colne Neighbourhood Development Plan (CNDP) where a proposal would affect one of 17 identified 'significant views'. However, despite reference to the Colne Significant Views Assessment, no specific view has been identified by the Council which would be harmed by the proposal. Rather, the Council's assessment is limited to a general statement that the location of the site on a hillside would render the proposed park homes prominent from 'various significant views' in the landscape.
16. In the absence of specific identified views, I observed from points within Colne town centre, roughly analogous to Significant Views 1, 2 and 3 of the CNDP. These views towards the south take in the falling topography towards Colne Water and the rising land beyond, which includes the appeal site. However, these vistas are also contained by the narrow street corridors, which restricts the extent of lower land visible. Consequently, it is the highest land against the skyline which forms the most prominent and dramatic aspect of these views. In this context, the appeal site is seen as a relatively modest expanse of development on the far hillside, set well below the skyline, filtered by trees and seen in the same vista as significant industrial buildings immediately below the site. At the distances involved, the proposed park homes would be negligible additions to a hillside already well established with development of various guises. The proximity of the new park homes to existing units means the proposal would not extend the visible spread of development of the caravan park in a noticeable or harmful manner.
17. I am mindful that the appeal site is within the general viewing cones of other identified significant views in the CNDP, such as No 8 from Holt House/Sports Pitches, but these are at even longer range than those from the town centre where a much wider extent of the landscape can be taken in, in which context the scale and resulting visual impact of the park homes would be even more limited than in views from the town.

18. The Council criticises the incremental expansion of the caravan park over a series of planning applications since 1992, when 11 were permitted. An appeal decision in 2002 allowed an increase in the number of caravans to 15. Subsequent applications were assessed for their impact on the landscape and the cumulative effects found to be acceptable. However, there is limited evidence to explain why this specific proposal would tip the balance of acceptability in terms of cumulative impact on the landscape. It is stated that large amounts of screening vegetation have been removed from the site, which prompted the issuing of a tree preservation order in 2024 to retain surviving trees. I saw the undeveloped southern part of the site appeared to be in a state of regrowth. However, the northern and southern boundaries retain numerous mature trees that continue to provide screening of the site. This screening could be supplemented by additional landscaping secured by planning condition.
19. The Council is further critical of additional night time illumination that would be generated by the static park homes and visible in the aforementioned views. I was not able to observe the site at night, but as already set out, the caravan park is well established and already generates light sources at night. Any lighting from the proposed park homes is likely to be ambient in nature rather than intense, directed light. It would represent a modest increase in the overall level of illumination that would not effect a material change in the visibility or perception of the wider caravan park on the hillside.
20. The Council refers to appeal decisions from 2024¹ on land to the opposite side of Lenches Road. However, the site in that instance is described as having open and agricultural characteristics and the immediate context being 'distinctly rural in character.' This differs from the appeal site where the immediate context is established development within a relatively enclosed site of a similar form to that proposed. Indeed, the Inspector in the referred decisions noted the presence of Prospect Farm Caravan Site, and that such caravan sites are not necessarily unusual in countryside locations. The key difference was that the Inspector considered that the caravan/s subject of the referred appeals would not be viewed in the same context as the established caravan park, but in isolation. As such, this example is not directly comparable and does not alter my considerations of the scheme before me, which I have assessed on its own merits.
21. For the reasons set out, and notwithstanding that the application was not supported by an LVIA, I conclude that the proposal to site five static park homes would preserve the landscape character of the area, in accordance with Policies SP10 and DM10 of the Local Plan, and Policy CNDP13 of the CNDP, which together require development to respect and wherever possible enhance the landscapes in which they are located.

Effects on Trees and Ecology

22. The Council's concern relates to the proposed introduction of hard surfacing to presently vegetated areas of the site to accommodate the proposed park homes, which alongside the proposed loss of trees and potential impacts on wildlife from lighting, would cause harm to ecology, with no indication it could be mitigated. I have also noted concerns from local residents regarding the proximity of the proposed units to the southern boundary.

¹ Appeal Decisions APP/E2340/C/23/3333075 & APP/E2340/W/23/3329006

23. The Council points to the absence of an ecological survey to establish the baseline and potential impact on wildlife, in particular protected species. However, its own committee report sets out that the site does not fall under any ecological designations to trigger a request for an ecology report, and officers did not appear to have concerns over any potential ecological harm during the application. No consultee comments are before me which raise the potential for protected species to be present on site, including bats.
24. Policy DM04 requires that, where adverse impacts on local ecology are identified, applicants should prepare an ecological appraisal proportionate to the level of impact identified. In this case, the evidence before me is that the proposal would affect modest areas of land adjacent to existing park homes comprising a mix of developed land, artificial unvegetated unsealed surfaces, and neutral grassland with mixed scrub. A small section of the latter would be removed as part of the proposal, with new areas of modified grassland, retained and enhanced neutral grassland and new mixed native scrub planting around perimeters.
25. The Council is critical of some detail within the appellant's biodiversity metric, but it did not consider this matter a reason for refusal, instead acknowledging that this could be addressed as part of the mandatory biodiversity net gain condition required by statute. The scrub and grassland affected is described as being in poor condition and amounts to a small percentage of the undeveloped area to the southern part of the site. The evidence suggests that the land affected by the proposal has little biodiversity value, with no indication it is populated by species. The Council has not provided any evidence to indicate otherwise.
26. Two Ash trees are indicated to be removed to the south-eastern corner of the site, both of which are stated to suffer from advanced ash dieback, significant dead wood and present a hazard. The appellant's arboricultural impact assessment recommends their urgent removal. The Council's tree officer raised no objection to this, but expressed that the trees were not directly impacted by the proposed siting of the park homes and therefore required a separate application to be removed, as they are covered by the recent tree preservation order on the site.
27. Several comments from residents cite the presence of wildlife in the vicinity of the proposed lodges, including within ponds a short distance to the south. However, there are no comments from an ecological consultee, or the planning committee, to suggest the presence of wildlife over and above that which may usually be present, or that it would be at direct risk from the proposal. In the circumstances, the evidence is largely anecdotal or speculative and not, in and of itself, substantive enough to warrant withholding permission for this reason.
28. Therefore, I find that the siting of the proposed static park homes would not cause demonstrable harm to a protected species or ecology generally, and so would accord with the requirements of Policy DM04 and DM07 of the Local Plan to address the impacts of development on biodiversity and trees.

Other Matters

29. I have noted public comments referring to the recent expansion of the site and consequent concerns regarding overdevelopment. This is a broad term not cited in the relevant planning policies put to me. The Council does not specifically argue harm in this respect, its concerns in terms of the scale of development being instead focused on visual impact, which I have addressed above.

30. I have further noted a wide range of concerns in representations, including the safety of retaining gabion walls and electricity connections, road surfacing within the site, ongoing building works and uncompleted works. A number of these relate to the day-to-day management of the caravan park, which is beyond the scope of this appeal.
31. Where matters relate to the existing site conditions, it is not required that a proposal rectify these, but that it does not exacerbate any harm. The Council has not raised concern in respect of other matters, including drainage, highway safety and neighbours' privacy. Whilst noting the points raised by interested parties, I do not glean from the evidence that there would be additional material harm caused by the proposal in respect of these matters.
32. A resident has raised concern over the location of one of the proposed static park homes being on land currently forming part of a garden to an existing park home. I have noted the comments made, and the plans and other particulars provided, but matters of land ownership or rights to use land on the site are ultimately separate legal matters beyond the purview of the planning system. It would be a matter for the concerned party to take up with the site owner directly.

Planning Balance and Conclusion

33. The appellant does not dispute the Council's stated ability to now demonstrate a five year supply of deliverable housing sites. The Local Plan is recently adopted and up to date, with the policies most important to the determination of the application in general conformity with the Framework. As such, they attract full weight in decision-making. Therefore, the 'tilted balance' of Paragraph 11(d) of the Framework is not engaged in this case and the proposal falls to be determined against the development plan, having regard to material considerations.
34. On the main issues, I have found that the proposal would accord with the development plan in terms of its effects on the landscape, ecology and trees. However, there would be conflict with the spatial strategy as the proposal is not a form of development supported in the countryside. The Framework makes it clear that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. The importance of the spatial strategy to the overall aims of the Local Plan mean that there would be conflict with the development plan, taken as a whole. I afford very significant weight to this conflict.
35. The proposal would deliver additional residential accommodation which would add to the housing stock and accord with the key aims of the Framework to boost the supply of housing and support the vitality of rural communities. I acknowledge the appellant's point that a five year supply is not a ceiling in terms of housing development, but this would still be a limited benefit given the modest scale of the scheme.
36. There would be limited economic benefits from construction of the development and from subsequent spending by future residents in the local area, which would accord with the Framework aim of supporting a prosperous rural economy. There would also be modest, but nonetheless positive net gains for biodiversity to be delivered via the standard condition.
37. The proposal is proximate to the settlement, though the positives of this are countered by the route to and from the town centre not being conducive to regular

walking or cycling. I also acknowledge that there would not be material harm to landscape character. However, these factors do not justify downgrading the weight to be afforded to the identified conflict with the spatial strategy of the development plan when its policies have not been shown to be out-of-date due to inconsistency with the Framework or because of a failure to meet its overall housing delivery aims. To do so would undermine the primacy of the plan-led system.

38. In the overall balance, the benefits of the proposal, taken together, are not sufficient to outweigh the identified development plan conflict. Therefore, for the reasons set out, I conclude that the appeal should be dismissed.

K Savage

INSPECTOR