

PLANNING APPEAL DECISION

Lead Officer: John Groves – Head of Nuclear, Energy & Planning

To inform Members of a recent appeal decision in respect of a site at Rosegarth Farm Caravan and Camping Site, Nethertown, Egremont.

Recommendation: That the decision be noted in the context of the Council's Local Plan Policies and also in relation to performance monitoring.

Resource Implications: Nil

1.0 SUPPORTING INFORMATION

1.1 Planning permission to develop this certified camping and caravan site to provide a wardens lodge/reception area, new amenities block and six additional caravan hard standings was refused on 11 December 2012 for the following reason:-

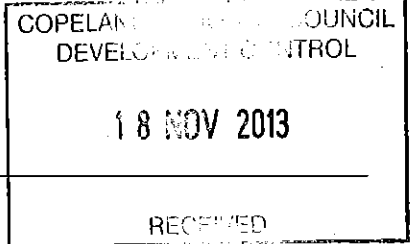
“By virtue of its location in open countryside designed a ‘Landscape of Country Importance’ and in the absence of a demonstrable need, the proposed expansion of this certified caravan and camping site, including the erection of a dwelling would represent an unsustainable, non-essential form of development contrary to Policies DEV1, DEV5, DEV6, HSG5, TSM4 and ENV6 of the adopted Copeland Local Plan 2001-2016, Policies ST1, ST2, ER10, ENV5, DM8, DM9 and DM22 of the Copeland Local Development Framework Core Strategy and Development Management Policies DPD (May 2012) and The National Planning Policy Framework. Furthermore, the site is served by an unacceptable access with limited visibility and the proposed expansion would have an unacceptable adverse impact on local traffic conditions and public safety.”

1.2 A subsequent appeal against the decision has been DISMISSED.

1.3 In summing up, the Inspector considers that the development would introduce an intense form of development which would be at odds with the open character of the surrounding area and together, the proposed buildings would create a cluster of development more akin to an urban area than to the open countryside within which the appeal site is located. Consequently, the proposal would result in an incongruous and harmful form of development. Likewise, he does not consider the proposal to be a sustainable form of development given that it would result in an increased number of car journeys and would harm highway safety.

Contact Officer: Rachel Wilcock – Planning Officer

Background Papers: A copy of the Inspector's decision letter is appended.



Appeal Decision

Site visit made on 28 October 2013

by **N McGurk BSc (Hons) MCD MBA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 November 2013

Appeal Ref: APP/Z0923/A/13/2193037

Rosegarth Farm Caravan and Camping Site, Netherton, Egremont, Cumbria, CA22 2UG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Stephen Clague against the decision of Copeland Borough Council.
- The application Ref 4/12/2488/OF1, dated 9 October 2012, was refused by notice dated 11 December 2012.
- The development proposed is a warden's lodge/reception area, amenities block and caravan hardstands.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was accompanied by a business case, with associated accounts. These pointed out that the existing business, related to the appeal site, began operating in 2009 and since then, there has been an increase in trade resulting in a need to further expand and invest.
3. In its reasons for refusal, the Council refers to the policies of its emerging Core Strategy and Development Management Policies DPD¹. I note that the DPD has undergone examination and is nearing adoption.

Main Issues

4. The main issue in this case are the effect of the proposed development on the character and appearance of the area; whether the proposal would be consistent with the principles of sustainable development, having regard to current planning policy and guidance; and the effect of the proposal on highway safety.

¹ Submission Draft (May 2012).

Reasons

Character and Appearance

5. The appeal site is a small certificated caravan/camping site located in the open countryside, accessed from a narrow country lane. The existing site comprises caravan hard standings and an associated track, together with a small flat roofed, single storey amenities block.
6. On the opposite side of the country lane to the site is a small garden nursery and there are small buildings, including stabling, which are agricultural in appearance, adjacent to the site. The attractive character and appearance of the area is dominated by the open green landscape and sweeping views across fields and hedgerows. The appeal site has highly attractive views and is, itself, visible from afar.
7. The site the subject of this appeal is located within a Landscape of County Importance, within which special regard needs to be paid to ensuring that development protects and where possible, enhances the local distinctiveness of the landscape.
8. It is proposed to provide a warden's large/reception area, an additional, larger amenities block and six further caravan hard standings. The hard standings would enable caravans to be located further away from the access lane to the front of the site and further into the open countryside.
9. I find that the above would introduce an intense form of development which would be at odds with the open character of the surrounding area. Together, the proposed buildings would create a cluster of development more akin to an urban area than to the open countryside within which the appeal site is located. Consequently, I find that the proposal would result in an incongruous and harmful form of development, contrary to Local Plan² policies DEV1, DEV6, HSG5 and ENV6, and DPD policies ST1 and DM9, which together amongst other things, seek to protect local character.

Sustainable Development

10. The Local Plan and DPD set out policies to achieve sustainable development. In particular, Local Plan policy TSM4 and DPD policy DM9 permit extensions to existing caravan and camping sites when such sites are well related to an existing settlement and main highway network.
11. The appeal site is situated in an isolated rural location along a narrow, unclassified country lane. There is no evidence to demonstrate that the site is served by public transport and I noted during my site visit that there were no pavements to the adjacent country lane, which was unlit.
12. As a consequence of the above, I find that people would be reliant on their cars and that the proposed development would result in an increased number of car journeys. In this regard, I find that the proposal would not comprise sustainable development. It would be contrary to Local Plan policy TSM4 and DPD policy DM9 and would fail to accord with the National Planning Policy Framework,

² Copeland Local Plan 2001-2016 Adopted Version (2006).

which seeks to encourage reductions in greenhouse gas emissions and to reduce congestion.

Highway Safety

13. During my site visit I noted that the proposed access is close to a bend in the road and to a junction with another country lane. Given the increased number of car journeys that would be likely to arise from the proposed development, were it to go ahead, safe access onto and egress from, the adjacent lane is a significant concern. Without appropriate access arrangements, including visibility splays, I find that increased traffic movements to and from the site, would be detrimental to the safety of the occupiers of vehicles entering and leaving the site, as well as to any pedestrians, cyclists, horse-riders or occupiers of vehicles using the adjacent country lane.
14. With regards the above, I am mindful that County Highways considered that the application should be refused on the grounds of inadequate information being provided with regards access, visibility splays and the effects of the proposal on local traffic considerations and public safety. The appellant, in support of his case, considers that such matters could be addressed by condition. However, there is no detailed evidence before me to demonstrate how, or if, the matters raised could be addressed. Consequently, there is nothing to lead me to conclude that they can be addressed and on this basis, I find that the imposition of a condition would be inappropriate.
15. Taking all of the above into account, I find that the proposed development would harm highway safety, contrary to Local Plan policy DEV6 and DPD policy ST1, which together amongst other things, require development to provide for safe access.

Other Matters

16. Whilst I note above that the appellant has submitted financial information, there is nothing before me which demonstrates a need for a permanent residential presence on the site.
17. The appellant refers to the site being in the Green Belt. I note that it is not in the Green Belt, but in the open countryside.
18. I note that the appellant is seeking to invest in tourism in the area. This is a factor in favour of the proposal. I also noted during my site visit the extremely high standards of care associated with the existing site. However, these are not factors which, together, outweigh the totality of harm identified above.

Conclusion

19. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR