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## Appeal Decision

Site visit made on 6 February 2018

**by Elaine Worthington BA (Hons) MTP MUED MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 15<sup>th</sup> March 2018**

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**Appeal Ref: APP/N2535/W/17/3183113**

**Charolands Camp Site, Ingham Road, Stow, Lincoln, LN1 2DG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mr & Mrs Howes against the decision of West Lindsey District Council.
  - The application Ref 136307, dated 31 May 2017, was refused by notice dated 13 July 2017.
  - The development proposed is the redevelopment of the existing caravan park to provide a single new dwelling.
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### Decision

1. The appeal is allowed and planning permission is granted for the redevelopment of the existing caravan park to provide a single new dwelling at Charolands Camp Site, Ingham Road, Stow, Lincoln, LN1 2DG in accordance with the terms of the application, Ref 136307, dated 31 May 2017 subject to the conditions in Annex A.

### Procedural Matter

2. The application was submitted in outline with all matters reserved for future consideration. However, an indicative plan was provided showing a two storey dwelling with access taken from Ingham Road via the existing driveway, to which I have had regard.

### Main Issue

3. The main issue in this case is the effect of the proposal on the character and appearance of the surrounding area.

### Reasons

4. The appeal site is part of a campsite for touring caravans. It comprises a grassed area with gravel parking areas and the wider site is enclosed by a fence with some boundary hedgerows and trees. It is immediately adjacent to the dwelling at Charolands. There are open fields to the north and a paddock to the east with a further dwelling beyond. The Council accepts that the appeal site is on the edge of the settlement of Stow.
5. Policy LP2 of the Central Lincolnshire Local Plan (Local Plan) designates Stow as a small village where small scale development of a limited nature in appropriate locations can be accommodated. As a single dwelling the proposal would align with the growth levels anticipated in Stow by Local Plan Policy LP4.

6. However to qualify as an appropriate location the site would; retain the core shape and form of the settlement; not significantly harm the settlement's character and appearance; and not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement.
7. Local Plan Policy LP26 requires all development to achieve high quality sustainable design that contributes positively to local character, landscape and townscape. Criterion (e) requires proposals to demonstrate that they do not result in ribbon development, nor extend existing linear features of the settlement and instead retain, where appropriate a tight village nucleus.
8. The appellants consider the site to be brownfield land. I have seen no response to this from the Council but am mindful of Annex 2 of the National Planning Policy Framework (the Framework). This defines previously developed land as that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The appeal site has an access driveway which runs from the road into the centre of the site with a number of spurs that provide areas of hardstanding for the caravans. However, there are no permanent structures there and it has not been put to me that any previously existed. As such, based on the evidence before me, I do not regard the site to be previously developed land under the terms of the Framework.
9. Nevertheless, the site forms part of a wider area that has an established use as a campsite. Although its use by touring caravans is transient and periodic, it is nevertheless laid out with a significant amount of hardstanding. This being so, despite its generally open nature, it does not appear as a paddock and does not read obviously as part of the wider open countryside to the north and east. The appeal site takes in the south west corner of the wider campsite only and aligns with the depth and width of the curtilage of Charolands. It relates closely to that existing development which itself forms part of the continuous form of the built up part of the settlement that stretches further to the west. The village speed limit restrictions end just eastwards of the appeal site entrance and there is existing residential development on the south side of Ingham Road opposite the site.
10. Whilst the proposal would be ribbon development, it seems to me that the campsite is to some extent already an existing linear feature of the settlement. Although the proposal would introduce a dwelling in place of the campsite, it would not extend this existing pattern or impinge into the open countryside. Rather, it would contain development into a smaller part of the wider site. Nor would it expand development beyond the extent of residential development on the south side of the road. The appellants advise that the campsite is to become redundant and so that use of the wider site would cease as a result of the appeal scheme. An open area would thus be retained to the east and north of the appeal site that is within the appellants' control. A planning condition could be imposed to secure the removal of the hardstanding from this remaining campsite land along with its restoration to grassland. There is a paddock east of the campsite boundary and the single dwelling beyond that would remain well separated from the appeal site and the main built up extent of the village.

11. Taking all these factors into account, I am not persuaded that the proposal would unduly undermine the core shape and form of the settlement or threaten the overall form of the village. Thus it would be inkeeping with the character and appearance of the settlement and would not detract from the character and appearance of the surrounding countryside or compromise the rural setting of Stow.
12. Although I have not been provided with any further details, I appreciate that the Council has refused planning applications to the east of the appeal site. I have had regard to the concerns raised by the Council and local residents that to approve the appeal scheme would set a damaging precedent for future development of this type. However, no directly comparable sites to which this might apply have been put forward and given that I have concluded that the proposal would be acceptable, I can see no reason why it would lead to harmful developments on other sites in the area. Each application and appeal must be determined on its own individual merits and a generalised concern of this nature does not justify withholding planning permission.
13. I therefore conclude on the main issue that the proposal would cause no harm to the character and appearance of the surrounding area. Thus I see no conflict with Local Plan Policies LP2 or LP26. I am also content that the proposal would support the Framework's core planning principles to secure high quality design and recognise the intrinsic character and beauty of the countryside.

#### *Other matters*

14. Despite the concerns of local residents, the Council raises no objections to the site's access to services and facilities or in terms of any likely increase in car usage or traffic on Ingham Road. Nor are any highway or pedestrian safety concerns raised and, subject to the imposition of a condition, the Council is satisfied that the site can be adequately drained. I have seen no substantiated evidence that would lead me to take a different view on these matters.

#### **Conclusion and Conditions**

15. For the reasons set out above, I conclude that the appeal should be allowed.
16. I have considered the Council's suggested conditions in light of the advice in the National Planning Practice Guidance. I have attached conditions limiting the life of the planning permission and setting out requirements for the reserved matters in accordance with the requirements of the Act. It is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. A condition relating to foul and surface water disposal is required to ensure the site is appropriately drained and to prevent flooding and water pollution. A condition requiring a Written Scheme of Archaeological Investigation is needed in the interests of sustaining and enhancing the significance of heritage assets. I have also imposed a condition to secure the restoration of the remaining campsite area to grassland in the interests of the character and appearance of the area. Whilst the Council suggests conditions relating to turning for vehicles within the site and materials for hardstanding areas, I am satisfied that these can be controlled via the reserved matters.

*Elaine Worthington*

INSPECTOR

## **Annex A**

- 1) Details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plan: Drawing number A1/101 dated 01/2016 (but only in respect of those matters not reserved for later approval).
- 5) Development shall not commence until drainage works for the disposal of foul and surface water shall have been carried out in accordance with details which shall have been submitted to and approved in writing by the local planning authority.
- 6) No development shall take place until a Written Scheme of Archaeological Investigation shall have been submitted to and approved in writing by the local planning authority. The scheme shall include: an assessment of significance and proposed mitigation strategy; a methodology and timetable of site investigation and recording; provision for site analysis; provision for publication and dissemination of analysis and records; provision for archive deposition; nomination of a competent person/organisation to undertake the work; and shall be in accordance with the Lincolnshire Archaeological Handbook. No development shall take place other than in accordance with the approved Written Scheme of Investigation.
- 7) No development shall take place until details of a scheme to remove the areas of hardstanding from the remaining campsite land (edged blue on the approved plan) and restore it to grassland shall have been submitted to and approved in writing by the local planning authority. These details shall include an implementation programme. The restoration works shall be carried out in accordance with the approved details.