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# Appeal Decision

Site visit made on 23 March 2020

**by Ben Plenty BSc (Hons) DipTP MRTPI**

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

**Decision date: 1 May 2020**

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**Appeal Ref: APP/L3245/W/19/3243795**

**The Links Holiday Lodges, Land adjacent to Links Green, Hinstock, Market Drayton, Shropshire TF9 2NH**

- 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 D & D Culligan against the decision of Shropshire Council.
  - The application Ref 19/03205/FUL, dated 9 July 2019, was refused by notice dated 8 November 2019.
  - The development proposed is for 11 Static holiday caravans replacing 5 log cabins, 2 in place to be demolished and site layout, wardens office, play area, drainage, access and amenity area.
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## Decision

1. The appeal is dismissed.

## Procedural matters

2. The Council's decision notice refers to policy MD7am of the Shropshire Council Site Allocations and Management Development Plan 2015 (SAMDev Plan). However, instead the Council identifies that policy MD7a is a relevant policy to the case. As both main parties have provided commentary on this policy, I shall take this into account in the appeal.
3. The proposal was amended during the application process by reducing the proposed number of caravans from 11 to 10<sup>1</sup> and increasing the amenity area. I have therefore taken this amended plan into account, which does not materially change the substance of the proposal and would not prejudice any party.

## Application for costs

4. An application for costs was made by D & D Culligan against Shropshire Council. This application is the subject of a separate Decision.

## Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

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<sup>1</sup> Amended Plan MM-7-19 B (13/08/19)

## Reasons

6. The appeal site is a triangular parcel of land adjacent to the junction of two country lanes. There are small clusters of dwellings near to the site. The site is however within the open countryside and away from the nearby village. It is occupied by two log cabins. These were subject to planning approval<sup>2</sup> for the installation of five cabins in 2012. The application was then subject to a variation<sup>3</sup> to allow for a phased installation of the units (plan 'Walker/02 Rev C'). The site is bound on two sides by trees and hedging with some gaps. This affords some views through the site from the adjacent highways and does not offer a continuous dense screen.
7. A boundary bisects the site with a post and rail fence and a small hedge. Views of the countryside beyond this fence line are relatively open. Accordingly, the site is partially open to views from the public realm. The installed log cabins are discretely placed alongside the eastern boundary and maintain the open and rural character of the site. Consequently, the site makes a positive contribution to the character and appearance of the surrounding open countryside.
8. Policy MD11.6 of the SAMDev Plan identifies that sites for new and extended touring caravans and camping sites should have regard to its cumulative effect on natural assets and the over intensification of a site. Furthermore, Policy MD11.7, identifies that static caravans, chalets and log cabins can have a greater impact on the countryside than sites for touring caravans and camp sites. As such, the policy explains that as well as taking into account policy MD11.6, proposals for static caravans should also be screened by landscaping and designed to a high quality.
9. The proposed static holiday caravans would be arranged in a fan configuration from the entrance to the site. This would place some caravans adjacent to the southern boundary of the site and close to the highway. The extant consent would provide additional log cabins. These would be widely spaced and enable clear visual gaps through the site, largely retaining its rural character. Conversely, the proposed caravans would be set close together. This would prevent most views through the site. Accordingly, due to the number and spacing of proposed caravans the visual effect would create a substantial combined mass. Subsequently, this would have a significant impact on the open character of the site and erode its rural character.
10. The site is close to small clusters of built form and the nearby village. Nevertheless, the site is a separate and distinct plot away from other development. This would emphasise the urbanising effect of the proposal. The layout plan provides an indication of plant cover on the perimeter of the site. However, this is not supported by a landscape assessment to consider the visual impact of the proposal on the wider area. The proposal would result in a relatively intense cluster of static caravans that would result in visual harm to the local character. Therefore, although the proposal would expand an existing facility and make more efficient use of the site, the intensity of development would harm the rural character of the area.
11. Accordingly, the proposal would be contrary to policies CS6 and CS16 of the Shropshire Local Development Framework: Core Strategy 2011 (CS). These

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<sup>2</sup> Planning Application Reference: 11/03893/FUL

<sup>3</sup> Planning Application Reference: 12/01454/VAR

seek amongst other things for development to take into account local context and ensure that visitor accommodation is of an appropriate scale for its surroundings. Furthermore, the proposal would fail to accord with policies MD2 and MD11 of the SAMDev Plan. These require development to contribute to locally distinctive or valued character and for tourism sites in the countryside to complement the character and qualities of the site's immediate surroundings. These policies are in general accordance with the National Planning Policy Framework (The Framework) which supports rural tourism that respects the character of the countryside.

12. However, policy MD7a of the SAMDev Plan, refers to the Council's spatial housing strategy and its approach to housing in the countryside. It lists exclusions for when such housing would be appropriate in these circumstances. However, it is silent in regard to the suitable location of caravan sites. This therefore is not relevant to the proposal.

### **Other matters**

13. The proposal would increase tourism in the area and would therefore have a positive effect on the local rural economy. The proposal would also provide new employment opportunities in the form of cleaners and gardeners. The Council's officer report identifies that Hinstock has a range of services and facilities. It is also noted that this is within walking distance of the site. These benefits are therefore of moderate weight in favour of the proposal. However, the benefit to the local economy would be likely to be marginal and would not therefore outweigh the conflict identified with the development plan.
14. The appellants identify that the proposal would meet the good practice standards within the legislation associated with Holiday Caravan Sites. The evidence indicates that the spacing of the caravans would not be considered as overcrowding in so far as advanced by this legislation. However, satisfying this requirement has only an indirect bearing on the visual effect of the proposal on the character and appearance of the area.
15. The proposal has not raised objection from the Council in regard to impact on neighbour's living conditions, waste management, impact on local wildlife, horses, flooding and highway matters. However, an absence of harm in these respects can only be considered as neutral factors in the planning balance. Furthermore, although the proposal would include an area for recreation and dog walking, this gain for users of the facility would not offset the impact of the proposed development to the rural character of the area.
16. The appellants assert that the proposal is required to provide a viable holiday caravan site. However, they have not illustrated why the consented scheme for five is not viable or why a further five are essential for a viable business. As such, the viability and reliance on a greater level of development in this respect can only be ascribed limited weight in the planning balance.

### **Conclusion**

17. For the above reasons the appeal is dismissed.

*Ben Plenty*

INSPECTOR