



Appeal Decision

Site Visit made on 21 September 2021

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 25th October 2021

Appeal Ref: APP/U2370/W/21/3273598

**Field west of New Road, Wardleys Lane, Stalmine, Poulton, Lancashire
FY6 9DX**

- 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 Ms E Shore against the decision of Wyre Borough Council.
 - The application Ref 20/01026/FUL, dated 19 October 2020, was refused by notice dated 14 December 2020.
 - The development proposed is change of use of land for the siting of 2 accessible to all holiday chalets.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the development in the banner heading above is adopted from the application form. However, the Council considers that the chalets would be permanent buildings and I agree. Accordingly, I have determined the appeal on the basis that permission is sought for the change of use of the land and the erection of 2 buildings to be used as holiday accommodation.

Main Issue

3. The main issue is whether or not the proposal would meet the exceptions for holiday accommodations sites, with particular regard to i) the character and appearance of the area; and ii) the viability of the business.

Reasons

Character and appearance

4. The appeal site is part of an agricultural field on the sloping banks of the Wyre Estuary. It is in the countryside adjacent to Wardley's Lane, which links the settlements of Hambleton and Staynall. It is a narrow rural road enclosed by hedgerows. Wardley's Creek Holiday Park is at its southern end and Wyre Country Park holiday park is at its northern end and it serves a stable building, an agricultural shed and 2 units of holiday accommodation¹ immediately adjacent to the appeal site.
5. The proposal would be an extension to the neighbouring small tourism site which comprises 2 3 bed units. The 4 buildings would share the highway access from Wardley's Lane. They would be linearly arranged along the internal road

¹ Planning permission ref 19/00950/FUL

that is already under construction. The proposed 1 bed units would be smaller than the existing units. However, in contrast to the existing units which are sited squarely in the corner of the field, the proposed units would be set at an angle, stepped forward from the roadside boundary and more widely spaced from one another. Consequently, the proposal would encroach into previously undeveloped and open countryside.

6. The proposal would be widely separated and poorly related to the residential development at either end of Wardley's Lane. Moreover, by doubling the length of the internal road and doubling the number of buildings, the proposal would not be a modest extension to the existing tourism site. The significant increase in the footprint and bulk of development would not be assimilated by the existing development. The proposal would contribute to the appearance of an isolated linear ribbon of residential development.
7. As with the existing units, the proposed units would be contemporary with flat green roofs, timber cladding and extensively glazed elevations. Irrespective of the design quality, they would be markedly dissimilar to surrounding built development including traditional rural farmsteads and dwellings, agricultural and equestrian buildings and conventional holiday parks. The 4 contemporary buildings would be prominent and conspicuous, including overnight, and the parking of cars between the units would reinforce the linear form and bulk of the extended development.
8. The surrounding countryside is gently undulating farmed land with improved pasture and arable fields, low hedgerows and woodland blocks. While the agricultural land is unremarkable, the nearby Wyre estuary is a significant feature that dominates the landscape. The local topography allows for long panoramic views across the river, including from and to the award-winning Wyre Estuary Country Park and the Wyre Way long distance walking route.
9. The Landscape and Visual Assessment (LVIA) acknowledges the scenic value of the river landscape and the high value views looking across the estuary towards the appeal site. The LVIA photographs taken from various viewpoints (VPs) demonstrate, and I saw during my visit, that the proposal would be widely visible from locations in the surrounding area.
10. From locations around the Wyre Country Park holiday park, the linear ribbon of units, in combination with the stable building in the foreground and the modern agricultural building beyond, would be a conspicuous visual intrusion of built development into the countryside. From Wardley's Creek Holiday Park, the proposal would be seen in combination with the Wyre Country Park holiday park, houses in Staynall, the 2 existing units, stable and agricultural building. The increase in the quantum of development and the incursion into the countryside would also be apparent in the important views across the estuary.
11. The LVIA acknowledges that the VPs do not represent the totality of locations from where the proposal would be visible. Consequently, the adverse visual impact from the encroachment of development into the countryside would be experienced by sensitive visual receptors over a wide area. While the extended development would not merge with the holiday parks in either direction, nevertheless it would have an urbanising effect and it would reduce the openness of the countryside. It would detract from the strong sense of place and the distinctive estuarine landscape.

12. The LVIA landscape mitigation plan proposes woodland blocks to break up the linear group of holiday units in views from the Wyre Estuary Country Park and the Wyre Way. The proposed site plan includes more limited planting that would screen the units from each other, but it would not screen the development in the high value views from the opposite bank of the river. The large feature windows in the units would be positioned to take advantage of the panoramic views. Consequently, even if landscape planting could be relied upon to screen inappropriate development from view, it seems unlikely that any meaningfully tall or dense planting would be allowed to develop since this would shade the windows and obscure the views.
13. Therefore, I conclude that the proposal would harm the open rural character and appearance of the countryside. It would conflict with policies SP4, EP9, CDMP3 and CDMP4 of the Wyre Local Plan 2011-2031 Adopted February 2019 (the LP) insofar as these require that proposals avoid adverse impacts on the open and rural character of the countryside and the local landscape, taking account of local context, landscape setting and long distance views.

The viability of the business

14. The Council recognises the importance of tourism and holiday accommodation to the local economy. However, neither the development plan nor the 2021 revised National Planning Policy Framework (the Framework) provide unqualified support for tourism development. In this regard, and in order to protect the countryside from unrestricted development, proposals for tourism accommodation are required to demonstrate that they would be viable.
15. I understand that, in approving the earlier application, the Council accepted that the existing 2 units would be viable. The existing units are not yet in use. There is no suggestion that they would not be viable in the absence of the proposal. The proposal is not necessary to support the existing business.
16. The business plan sets out the price per night of the units based on the average prices of selected holiday accommodation elsewhere. While these may have something in common with the proposal, some are in very different parts of the country including Cornwall, Norfolk and Sussex. There is little compelling evidence that they are directly comparable to the appeal proposal or that they have been independently verified for the purposes of establishing pricing. Moreover, the price and the occupancy rates of holiday accommodation during the coronavirus pandemic may not in any case be representative of pricing or occupancy levels under normal operating conditions.
17. The business plan includes costs for cleaning, laundry, utilities, marketing and maintenance. However, there is little breakdown or itemisation of the costs and it is not clear that the plan comprehensively takes into account all business costs. I understand that the appellant would undertake the administration, cleaning and maintenance and that she has friends and family who would be prepared to help out. Irrespective, the business plan should quantify staffing requirements and demonstrate that it could meet all costs including salaries.
18. The appellant would fund construction and set up the business using savings and investments. She would not need the business to cover the costs of a mortgage or finance. Moreover, as it would be a retirement project, she places more importance on an income than on the return of capital. However, the planning permission would run with the land and not with the appellant.

Irrespective of her circumstances and her preferences, the initial capital costs are relevant to the question of whether or not the business would be viable. The business plan does not demonstrate the long term viability of either the 2 proposed units or the combined 4 holiday units.

19. The third party representations to the application and the appeal include objections to the scheme and support for accessible holiday accommodation. The correspondence from established holiday letting and marketing agencies confirms that 1 bed units would appeal to tourists, particularly if they also offered hot tubs. Neither the third party support nor the interest from marketing companies demonstrate that the business would be viable.
20. Evidence has been provided in relation to the benefits of holiday parks and campsites in the UK, including in terms of the local economy and employment. The tourism industry undoubtedly makes an importance contribution to the economy and to health and well-being. However, and taking account of the small scale of the proposal, the public and economic benefits would be limited.
21. Therefore, the proposal would conflict with the aims of LP policies SP4 and EP9. These require, among other things, that the holiday accommodation should deliver substantial public benefits that would outweigh the harm to the open rural character of the countryside and that it should be demonstrably viable in the long term. It would conflict with the policies in the Framework in relation to sustainable rural tourism which respects the character of the countryside.

Other Considerations

22. Planning permission has been refused previously at this site for holiday accommodation including seasonal caravan pitches, holiday cottages and chalets. The appeal scheme follows refusal of application ref 20/00369/FUL for change of use of land for the siting of two holiday chalets. The business plan may have been prepared to a higher standard than the earlier refused plan, but it does not robustly demonstrate the viability of the business.
23. The units would be suitable for disabled persons, although it seems unlikely that people would regularly access shops and services in Hambleton by wheelchair or on foot. The intervening roads are narrow with no footways, making it difficult for vehicles to safely pass vulnerable road users. The distance involved, and along an unlit lane, would not be a short or convenient walk. It seems unlikely that the location would attract people wishing to explore the Lake District National Park or the Forest of Bowland Area of Outstanding Natural Beauty, which are at a considerable distance from the appeal site. The location does not weigh in favour of the proposal.
24. While coronavirus is unlikely to be eradicated, the evidence suggests that it will become endemic in the population in the same way as influenza. There is little to suggest that the 2020 and 2021 restrictions on international travel and limits on the number of people who can meet indoors would be necessary or imposed in future years. The pandemic carries neutral weight in the appeal.
25. My attention has been drawn to planning permissions relating to the siting of additional static holiday caravans at existing leisure and caravan parks elsewhere in the area. The acceptability and viability of extensions to other businesses, including those that are apparently better related to existing settlements, does not provide a justification for the appeal scheme.

26. There has been a programme of tree planting in and adjacent to the site and further planting is proposed. Upon maturity, the planting could be expected to result in biodiversity enhancement although this would depend upon sympathetic management and any benefit would be offset to a degree by recreational noise and disturbance. This carries little positive weight.
27. By virtue of close proximity to the Wyre Estuary Site of Special Scientific Interest and Morecambe Bay and Duddon Estuary Special Protection Area and Ramsar site, the proposal has the potential to result in adverse impacts on the qualifying features of the designated sites. I am aware that a Habitats Regulations Assessment has been undertaken which concludes that, subject to the implementation of mitigation, the proposal would not adversely affect the integrity of the European designated site. I have a statutory duty under the Conservation of Habitats and Species Regulations 2017 (as amended) to consider the potential impacts on the European site in the determination of the appeal. However, as I am dismissing the appeal for other reasons it is not necessary for me to further consider the impacts on the designated site.

Conclusion

28. For the reasons set out above, the proposal would conflict with the development plan and there are no material considerations, including the contribution to the local tourism economy, that would outweigh that conflict.
29. Therefore, I conclude that the appeal should be dismissed.

Sarah Manchester

INSPECTOR