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## Appeal Decision

Site visit made on 28 January 2020

by **Matthew Woodward BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19<sup>th</sup> March 2020

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**Appeal Ref: APP/B3030/W/19/3241843**

**12 Carlton Manor Touring Park, Ossington Road, Carlton-on-Trent, Notts NG23 6NU**

- 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 Mrs Shirley Goodman against the decision of Newark & Sherwood District Council.
  - The application Ref 19/01237/FUL, dated 28 June 2019, was refused by notice dated 27 September 2019.
  - The development proposed is the permanent siting of one additional static caravan/park home including concrete base.
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### Decision

1. The appeal is allowed and planning permission is granted for the permanent siting of one additional static caravan/park home including concrete base at 12 Carlton Man Touring Park, Ossington Road, Carlton-on-Trent, Notts NG23 6NU in accordance with the terms of the application, Ref 19/01237/FUL, dated 28 June 2019, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans entitled: 'Plan showing position proposed new park home', 'Model:Hayden Classic' elevations and floorplan drawing, Site Location Plan.
  - 3) The park home hereby approved shall not be sited or constructed on site until details of all external facing materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

### Procedural Matter

2. Both 'park home' and 'static caravan' are referred to in the description of development in the banner heading above. In the interests of consistency, I refer to 'park home' in my decision.

### Main Issue

3. The main issue is whether or not the proposal would be in accordance with local and national planning policies relating to the location of residential

development in the District, with particular regard to the character and appearance of the area and biodiversity.

## Reasons

4. The appeal site lies within a wider parcel of land which is made up of approximately 11 park homes/caravans. It is accessed off Ossington Road which lies to the north of the appeal site behind trees and vegetation. The park homes within the wider site are arranged in a fairly uniform manner around a central area of hardstanding. The appeal site, being located in the corner of the wider site, is well contained by trees, fencing, and existing park homes.
5. The appeal site is located in Open Countryside, as defined by Policy DM8 of the Council's Development Management Development Plan Document (DPD)<sup>1</sup>. I was able to see on my site visit that the proposal would appear relatively inconspicuous from within the wider site as it would occupy a corner position and infill a gap in between existing park homes. This, coupled with its modest scale, means that it would not protrude significantly into the countryside, and whilst the openness of the appeal site itself would be reduced, this would not be at the expense of the openness of the wider countryside.
6. Moreover, the presence of trees close to the site boundaries significantly curtail views of the existing park homes and caravans, particularly from Ossington Road. Whilst the proposal would be situated relatively close to the road, most obtainable views of it would be seen against the backdrop of existing park homes. Therefore, the development would protect the intrinsic character and beauty of the countryside and wider landscape, in accordance with Core Policy 13 of the Council's Core Strategy<sup>2</sup> and paragraph 127 of the National Planning Policy Framework (the Framework).
7. However, its rural location away from a defined settlement boundary would be contrary to Spatial Policy 3 of the Core Strategy. Furthermore, whilst the proposal would have an understated appearance and there is nothing objectionable about its design given the presence and comparable style of other park homes within the wider site, it would not constitute a design of exceptional quality, nor would it meet the high design standard requirements set out in Policy DM8 of the DPD. However, it would partially meet the requirements of this policy as, in the context of its setting, the park home would represent a form of development which is a characteristic of the area.
8. In respect of the trees which flank the appeal site on two sides, the Council are concerned that some of them could be lost due to the excavation works and subsequent creation of a concrete pad, which could adversely affect the roots and health of the trees. Whilst the nearest trees lie close to the appeal site boundary, they are set away from the location of the proposed park home, beyond a boundary fence. The closest trees are clustered together to form a tree belt which reduces obtainable views of the wider park homes site from the road. To my mind it is unlikely that the proposal would significantly affect the integrity of the tree belt due to the distance involved and the fact that some of

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<sup>1</sup> Newark & Sherwood Local Development Framework Allocations & Development Management Development Plan Document 2013 Development Management Development Plan Document

<sup>2</sup> Review of the Newark & Sherwood Local Development Framework Core Strategy & Allocations Amended Core Strategy March 2019

these trees lie on the opposing side of a ditch, thus limiting the likelihood of the proposal significantly affecting their roots.

9. However, even if individual trees were affected indirectly by the proposal, none of the trees are protected by a tree preservation order and the Council do not suggest that they have high amenity value. Those trees to the east of the appeal site lie further away and are even less visible from public vantage points.
10. Furthermore, the Council has not provided me with any meaningful evidence to suggest that any of the trees make a valuable contribution to local biodiversity. Based on the aforementioned, and the scale of the proposal and its location, I am not persuaded that the proposal would harm ecological assets and local biodiversity, nor that it would result in the loss of natural features of importance. Consequently, I find no conflict with Core Policy 12 of the Core Strategy or Policies DM5 and DM7 of the DPD which seek to preserve biodiversity interests and natural features of importance.

### **Planning Balance and Conclusion**

11. The proposal would involve a form of development in the open countryside which is deemed by the local plan to be an undesirable location for housing. Despite this, the provision of one additional park home within an established park homes site would not significantly undermine the settlement hierarchy set out in Spatial Policy 3 of the Core Strategy. Moreover, the proposal would not be of exceptional design quality but would be in keeping with the prevailing character of the area and would not protrude significantly into the wider countryside or substantially diminish its openness. Consequently, there would be modest conflict with Policy DM8 of the DPD which seeks to ensure that any housing in the countryside is of the highest quality and is characteristic of the locality. There would be no conflict with Core Policies 12 and 13 of the Core Strategy or Policies DM5 and DM7 of the DPD in terms of the design of the park home and its effect on green infrastructure, biodiversity and landscape character.
12. In terms of benefits, the proposed park home plot would provide a bespoke form of housing for a specific demographic<sup>3</sup> and I have no reason to dispute the appellant's assertion that it would be affordable in comparison with local traditional bricks and mortar housing. In addition, the additional plot would be located within an established park homes site which exudes a community feel and the future occupants would have the opportunity to contribute to the vitality of that community, in accordance with paragraph 78 of the Framework.
13. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan, unless material considerations indicate otherwise. I have applied significant weight to the foregoing benefits and find these material considerations sufficient to outweigh the modest conflict with the policies in the development plan.
14. Therefore, for the reasons given above, the appeal is allowed.

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<sup>3</sup> The submitted Design and Access Statement confirms that the wider site is occupied by persons over the age of 50.

**Conditions**

15. I have considered the Council's suggested conditions in accordance with the Planning Practice Guidance. In addition to the standard implementation condition it is necessary, in the interests of precision, to define the plans with which the scheme should accord. A condition concerning external materials is required in the interests of the character and appearance of the area.

*Matthew Woodward*

INSPECTOR