



Appeal Decision

Site Visit made on 17 August 2021

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 September 2021

Appeal Ref: APP/L2630/W/20/3260962

Wardley Hill Campsite, Wardley Hill Road, Kirby Cane NR35 2PQ

- 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 Joe, Holly and Ralph Putman against the decision of South Norfolk District Council.
 - The application Ref 2020/1006, dated 10 June 2020, was refused by notice dated 29 July 2020.
 - The development proposed is Erection of Managers workplace and Family Ecological Dwelling with associated car parking and extension of campsite total area to South boundary.
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Decision

1. The appeal is allowed and planning permission is granted for a campsite service building with wardens' accommodation and extension of campsite total area to south boundary at Wardley Hill Campsite, Wardley Hill Road, Kirby Cane NR35 2PQ in accordance with the terms of the application, Ref 2020/1006, dated 10 June 2020, subject to the attached schedule of conditions.

Procedural Matters

2. Despite the description of development set out above, I consider the description found on the Decision Notice and the Appeal Form better reflects the scheme that is before me and that which the Council considered. The development proposed is therefore for a 'campsite service building with wardens' accommodation and extension of campsite total area to south boundary.' I have therefore dealt with the appeal on this basis.
3. The National Planning Policy Framework was revised on 20 July 2021 (the Framework). The main parties have had the opportunity to comment upon the relevance of any revised content of the Framework and I have had regard to any responses received in my decision.

Main Issues

4. The reasons for refusal on the Decision Notice relate to the proposed campsite service building with warden's accommodation, with this in mind the main issues are:
 - if, having regard to the development plan, there is a functional need for one or more full-time workers to be readily available at all times for the enterprise and if this need could be met by another dwelling in the area that is available and suitable; and

- the effect of the proposed development on the character and appearance of the site and the surrounding rural landscape.

Reasons

Functional need

5. The appeal concerns the part of the extensive grounds of a campsite to the northwest of Kirby Cane, that is currently used for recreation by visitors. The appellants currently reside in part of the farmhouse owned by their parents, which is situated to the south of the site. However, one of the appellants sleeps in a tent or the library building in order to monitor the site overnight. The campsite service building would be single-storey and incorporate wardens' accommodation for the appellants, and a site office, store, and laundry.
6. The campsite is open for eleven months of the year, closing in January, and the appellants have a full schedule of general day-to-day tasks which relate to various essential on-site maintenance and management tasks, including bookings and site changeovers, social engagement, cleaning, and laundry. This lasts well into the evening, particularly during the busier summer months and when visitors arrive late. Due to the absence of a site office and dedicated laundry, much of this work is undertaken at the farmhouse. Aside from the day-to-day tasks included in the appellants' work schedule, they also provide first aid, assist in finding lost children, and are responsible for reducing the risk to visitors from fire, crime and anti-social behaviour, and flooding.
7. Visitor levels in the winter months are lower, but the campsite attracts more loan visitors with individual demands and the use of glamping accommodation increases. Site maintenance and enhancement are also undertaken then.
8. The appellants' ecological approach to camping means that, outside of the mown grassed areas for pitches, the site is relatively wild with long grass and wildflowers. In my experience, this is not commonplace within campsites, which sets it apart from other sites set with predominantly mown grass.
9. Each pitch often has its own campfire, barbeque, or other cooking equipment. The presence of the appellants on the site and their quick action is therefore fundamental to ensuring that campfires and barbeques are used and extinguished correctly, particularly through the late evening and night and in winter months where they are in closer proximity of tents. This would diminish the risk of fires starting or spreading that could have disastrous consequences for human life, property, or the ecology and biodiversity of the site. There is no substantive evidence before me that would give me a reason to doubt the nature of the risks that fire could pose, particularly the professional advice contained in the appellants' *Fire Risk* and *Health and Safety Risk Assessments*.
10. The ecological approach to camping also means that the site is not lit after nightfall and there is currently no natural surveillance from nearby residential properties of the site. While there are no reported instances of tents having been broken into, they are inherently not secure. The two incidents of reported crime are unrelated and occurred some time apart and constituted a break-in and internal damage to a glamping shepherd hut, and theft from and churning up of the site by vehicles. The location of the proposal would therefore enable monitoring of the access track into the campsite and the visible presence of a warden would also be likely to act as a greater deterrent to criminal activity. A

further subsidiary benefit would be to the prevention of noise and unacceptable behaviour by visitors.

11. A stream runs through the site and the evidence before me indicates that this has potential to flood neighbouring land. The Flood Plan for the site therefore sets out that the appellants monitor water levels to protect visitors against the dangers of flooding. While surface water flooding incidents can be predicted by forecasting, the severity of incidents will often vary due to site conditions. The response to the effects of flooding at the site would therefore be dependent on the ability of the appellants to closely monitor conditions at the site and respond quickly to address any risk to visitors.
12. Based on all of the above, I am satisfied that there is a functional need for one or more full-time workers to be readily available at all times for the enterprise, particularly to reduce the aforementioned risks to visitors.

Other dwellings in the locality

13. There is some difference between what the main parties consider to be the average price for a suitable dwelling in the local area. The budget for the construction of the proposal and the upper limit of a mortgage that could be met by the viable income derived from the appellants' business both equate to £125,000. There is agreement between the main parties that this would be unlikely to extend to properties for sale or rent with equivalent accommodation in the locality. This would not include the farmhouse, which is significantly larger in size and landholding. Moreover, the online searches undertaken by the appellants, over various periods of time during the planning application and appeal processes, demonstrate that none of the properties in the locality available on the market would be appropriate and affordable for the residential accommodation required or include space for an office, laundry, and store.
14. Distance for the search area was set to three miles to reflect the corresponding travel time by car that it currently takes to walk from the farmhouse, in which the appellants currently reside. This is a reasonable approach, given that the appellants are required to proactively address the risks identified above, or react quickly to reduce their impact, whatever the time of year, but particularly in busier times.
15. I accept that the presence of an office on site would, to a certain extent, improve the potential for reporting of and dealing with incidents, particularly during the day. However, this would be unlikely to lead to any changes to the appellants' sleeping arrangements, which are in themselves not conducive to securing a balance between a healthy family life and the operation of their business. Furthermore, I accept that it would be unrealistic to expect the appellants to abandon their current approach to site management without another appropriate means of ensuring a readily available presence onsite, especially during the hours of darkness. Perhaps most crucial, the appellants' budget would not cover the cost of separate residential accommodation offsite and a service building onsite, and the other campsite buildings are modest so would not be sufficiently sized to fulfil these requirements.
16. While the reporting of risks to and by visitors could also be reduced through the use of mobile communications, this is by no means full proof, as the site does not have electrical connections to charge phones and network coverage is unreliable. Even if portable or in-vehicle charging was available and network

coverage more reliable, if the appellants resided elsewhere then they would still be unlikely to be able to respond quickly to emergencies, particularly at night, as they would need to rise from sleep and then drive to the site.

17. The Council's development plan policies¹ suggests that development should minimise the need to travel and give priority to low impact modes of travel. I accept that sustainable transport solutions will vary between urban and rural areas, so a greater dependency on car use is expected in rural locations, and the journeys by car from other dwellings in surroundings settlements would be short. Nevertheless, their cumulative effect would significantly increase the amount of unsustainable journeys made in the countryside.

Conclusion on the first main issue

18. For all of the above reasons, I conclude that a functional need has been demonstrated for one or more full-time workers to be readily available at all times for the enterprise; and this need could not be met by another existing dwelling in the area that is available and suitable. Hence, the proposed development would accord with Policy DM2.11 of the Council's Local Plan.

Character and appearance

19. The site is situated within landscape character area C2 (Thurlton Tributary Farmland) as defined by the South Norfolk Local Landscape Designations Review 2012. Significant parts of the campsite and its surroundings are open and undeveloped or have a limited visual impact. It is therefore similar to the character of the surrounding rural landscape, which rises up from the lower-lying Waveney valley.
20. The proposed dwelling would be relatively modest in its scale and footprint and designed to reflect the traditional agricultural buildings that typify the South Norfolk landscape and the rustic appearance of the other buildings in the campsite. As a consequence, it would appear as a restrained and recessive structure that would not be overtly prominent within the rural landscape of the site and its immediate surroundings. Moreover, it would be arranged in close proximity of the carpark to contain its wider visual impact and set against the backdrop of existing planting. Its sustainability and ecological credentials would also be enhanced through the use of, amongst other things, straw bales in its construction and high energy efficiency from renewable sources.
21. I therefore conclude that the proposed development would not have a harmful effect on the character and appearance of the site and the surrounding rural landscape and it would accord with the design aims of Policies DM3.8 and DM4.5 of the Council's Local Plan.

Other Matters and Conditions

22. In addition to the standard time limit, in the interests of clarity and the appearance of the building, I have specified that the proposal should be constructed in accordance with the details outlined on the approved plans, but I have utilised the latest revisions as only the drawing title has been altered. In the interests of the rural landscape character of the area, conditions are

¹ Policy 1 of the Joint Core Strategy for Broadland, Norwich, and South Norfolk (Adopted March 2011, amendments adopted January 2014) (the Core Strategy); and Policy DM3.10 of the South Norfolk Local Plan Development Management Policies Document (Adopted October 2015) (the Local Plan).

necessary for the external materials of construction, to protect against the removal of trees and hedgerows and for a scheme of landscaping. The proposed parking arrangements are also required to be made available prior to occupation, in the interests of site safety.

23. I have amended the suggested occupancy condition to refer to the business and land it occupies and to provide greater clarity in respect of the resident dependants of wardens and to ensure that they are able to reside in that property in perpetuity.
24. The primary design input of the proposal lies with the appellants, so it would qualify as being self-build. While I have not been provided with a legal mechanism, such as a planning obligation, the occupancy restriction linked to the business would provide some certainty to ensuring those with input in design are occupying it. The proposal would therefore make a meaningful contribution towards the Council's obligations imposed by the Self-Build and Custom Housebuilding Act 2015² (the Act) for housing in the District.
25. The existing planning permission³ for the campsite currently enables accommodation of no more than 30 camping pitches, with no caravans or large campervans permitted, only 14 camping and four campervan pitches of which are in use. Given the width of Wardley Hill Road and the lack of footways, it would be appropriate to continue to control the magnitude of the proposed use, as suggested by the local highway authority⁴. The Council has recommended that the same planning condition from the original permission be utilised, but this is ambiguous and imprecise, both in terms of the extent of the site covered by the condition and the size of campervans permitted. I have therefore amended the condition to clarify that it applies to the whole site, not just the extended area as it would otherwise double the number of pitches. I have also clarified the largest gross weight of campervans permitted.
26. Details of foul, sewage and surface water disposal are required to reduce the risk of flooding. Measures to secure water efficiency in the proposal are also required but I have not imposed the requirement drawn from the Code for Sustainable Homes and referred to in the Council's Core Strategy, as the former has been withdrawn. Nevertheless, there is a clear local need to meet the tighter optional requirement of 110 litres/person/day set in the Building Regulations, so I have amended the condition to reflect this requirement.
27. I have not included the condition in respect of unexpected contamination, as it would be unnecessary given that there is no evidence to demonstrate a risk to future occupiers from land contamination of the site.

Conclusion

28. The proposed development would accord with the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given above, I conclude that the appeal should succeed.

Paul Thompson

INSPECTOR

² As amended by the Housing and Planning Act 2016.

³ Planning Reference: 2014/0502.

⁴ Norfolk County Council.

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2111.1a, 2111.2b, 2111.3b, 2111.4b and 2111.5b.
- 3) No development other than the works required for the laying of foundations shall take place until full details of the following have been submitted to and approved in writing by the local planning authority:
 - i. the means of foul water and sewage disposal; and
 - ii. sustainable surface water drainage, which shall include the results from percolation tests, if appropriate, and water efficiency and saving devices such as rain saver systems.

The development shall be carried out in accordance with the approved details prior to first occupation of the warden's accommodation and retained as such thereafter.

- 4) No above ground construction shall take place on site until details of the external materials to be used in the construction of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.
- 5) Development shall not proceed beyond slab level until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate:
 - i. the species, number, size and position of new trees and shrubs at the time of their planting;
 - ii. all existing trees and hedgerows on the land, with details of any to be retained (which shall include details of species and canopy spread, root protection areas);
 - iii. specification of materials for fences, walls and hard surfaces;
 - iv. details of any proposed alterations in existing ground levels and of the position of any proposed excavation or deposited materials;
 - v. details of the location of all service trenches; and
 - vi. boundary treatment.

The scheme as approved shall be carried out not later than the next available planting season following the commencement of development or such further period as the Local Planning Authority may allow in writing. If within a period of ten years from the date of planting any tree or plant or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, [or becomes in the opinion of the Local Planning Authority, seriously damaged or defective] another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 6) The warden's accommodation hereby permitted shall not be occupied until the Building Regulations Optional requirement in respect of the water efficiency of new dwellings of 110 litres/person/day has been complied with.
- 7) Prior to the first occupation/use of the development hereby permitted, the proposed on-site car parking and turning area shall be laid out, levelled, surfaced and drained in accordance with the details shown on drawing reference 2111.2b, and retained thereafter available for that specific use.
- 8) No trees or hedges shall be cut down, uprooted, destroyed, lopped or topped, other than in accordance with the approved plans and particulars, without the previous written approval of the planning authority. Any trees or hedges removed without consent shall be replaced during the next planting season November / March with trees of such size and species as agreed in writing with the local planning authority.
- 9) The occupation of the warden's accommodation shall be limited to a person solely or mainly employed or last employed in the business occupying the land edged red and blue on the Site Location plan (drawing reference: 2111.1a), or a widow or widower or surviving civil partner of such a person, and to any resident dependants.
- 10) The land edged red and blue on the Site Location plan (drawing reference: 2111.1a) shall accommodate no more than 30 camping pitches, and none of the following shall be brought onto the site:
 - i. Caravans; and
 - ii. campervans exceeding 3500kg gross vehicle weight.

END OF SCHEDULE