



Appeal Decision

Site visit made on 19 May 2025

by U P Han BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th June 2025

Appeal Ref: APP/W3330/W/25/3361194

Burton Springs Fishery and Campsite, Lawson Farm, Shurton Road, Stogursey TA5 1QB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Gareth Glover against the decision of Somerset West and Taunton Council.
 - The application Ref is 3/32/24/021.
 - The application sought planning permission for change of use to caravan site for touring caravans, motor homes and tents (retention of works already undertaken) without complying with a condition attached to planning permission Ref 3/32/18/037, dated 12 February 2019.
 - The condition in dispute is No 2 which states that: The caravans and pitches shall be occupied for tourism purposes only. The site shall be limited to a total of 25 pitches sited as detailed on the approved site plan. The caravans and pitches shall not be occupied as a person's sole or main residence or for any form of residential occupation, and shall not be occupied as overnight accommodation required due to their employment in the area. The site operator or owner shall maintain an up to date register of the names of all occupiers of individual caravans and tent pitches on the site and of their main home addresses, and the duration of their stay and shall make this information available at all reasonable times to the Local Planning Authority.
 - The reason given for the condition is: To prevent permanent occupation of the residential units within the open countryside, in the interests of amenity including the character of the area and to ensure that the pitches are for tourism use only.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether the condition in dispute is necessary having regard to the location of the site.

Reasons

3. Planning permission¹ was granted for change of use to a caravan site for touring caravans, motor homes and tents at the appeal site (the original scheme). The appellant seeks to vary condition 2 of the original scheme so that the site can be occupied as overnight accommodation for workers employed at Hinkley Point C (HPC) between 1 October to 31 March up until 31 March 2029.
4. Policy SC1 of the West Somerset Local Plan to 2032 (November 2016) (WSLP) sets out the district's settlement hierarchy and seeks to direct new development to the identified settlements in the policy. Under Policy OC1 of the WSLP,

¹ Ref. 3/32/18/037.

development elsewhere in the open countryside is considered not generally appropriate unless it meets one of the listed policy exceptions. The appeal site is in open countryside and the proposal does not meet any of the exceptions listed in Policy OC1 of the WSLP.

5. Policy EC9 relates to tourism development whereas the appeal proposal, while related to an existing tourism service, is for caravan accommodation for HPC workers. Therefore, Policy EC9 is not determinative in this appeal.
6. A similar proposal at the appeal site was dismissed at appeal² in 2020. The appellant asserts that the Inspector concluded that the proposal subject of the previous appeal accorded with Policy EN1 of the WSLP. Policy EN1 requires that proposals for the mitigation of impacts arising from Hinkley Point demonstrate that it meets the listed policy criteria. While the Inspector did not consider the proposal before them to conflict with Policy EN1 with regard to living conditions of the occupants of neighbouring properties, traffic and highway safety, they found that it conflicted with Policy EN1 in respect of the unsustainable countryside location of the site with no clear justification for workers accommodation.
7. The appellant contends that the proposal would not generate significant additional traffic movements over and above traffic movements that the same number of tourists would generate because the construction workforce would use the buses provided by EDF Energy to travel to work, thereby complying with Policy TR2 of the WSLP which seeks to reduce reliance on the private car. However, the travel behaviour of workers who may reside at the site would likely differ from tourists. While there are bus stops close to the appeal site serving HPC so that work journeys from the appeal site could be undertaken by a sustainable transport mode, the appeal site is nevertheless located away from any large settlement with the necessary services and facilities a worker residing at the site may require.
8. The villages of Stogursey, Shurton and Burton have a very limited range of services and facilities. Furthermore, the corner shop and SPAR in Stogursey referred to by the appellant is not within an easy walking distance of the appeal site. As a result, the proposal would likely lead to reliance on the use of private vehicles for access to a range of services and facilities, even for a temporary period. Moreover, the appellant's appeal statement indicates that the appeal site is closed in winter months so the proposal would inevitably generate more traffic movements during this period than if the site were used by tourists.
9. For the reasons given, the condition in dispute is necessary having regard to the location of the site. The proposal would conflict with Policies EN1, OC1, SC1 and SD1 of the WSLP insofar as they seek to prevent adverse impacts as a result of the HPC development and restrict development in the open countryside.

Other Considerations

10. The Council does not dispute that there is need for a significant amount of additional accommodation for HPC workers or that there is delay to the completion of the HPC project. Based on the evidence before me, I have no grounds to find otherwise. However, while I acknowledge that there is unmet need for HPC workers accommodation, the evidence submitted suggests that the issue is currently being addressed through the expansion of existing campsites already

² Ref. APP/H3320/W/19/3238155.

providing HPC workers accommodation and the exploration of other options. Within this context, the appeal proposal, particularly given its location, would not support the Council and EDF Energy's objective of finding an 'appropriate and policy compliant way' of resolving the accommodation issue.

11. Varying condition 2 would allow the appeal site to provide HPC workers accommodation, which I note is in short supply. However, given the small-scale contribution of proposal to the overall supply for a limited period of the year, and due to the expansion of other existing campsites in the area to meet the need, this benefit would carry limited weight in favour of the proposal.
12. The appellant suggests that there are a number of HPC workers who work two days a week or a few days a month who are unable to access accommodation at the campus as priority is given to full time staff. In addition, it has been suggested to that some HPC workers have been forced to wild camp for lack of accommodation. However, no detailed or robust evidence has been submitted as part of the appeal to substantiate these assertions, and as such, I give them limited weight in reaching my decision.
13. The proposal would provide financial support to the existing business, securing the existing employment of three full time staff plus casual staff, and would create an additional part-time job. In this respect, the proposal is supported by Policy EC1 of the WSLP and paragraph 88 of the National Planning Policy Framework (the Framework). However, due the small scale of the proposal, this benefit would attract limited weight in the planning balance.
14. The appellant argues that the Local Plan does not make any provision for the accommodation of construction workers despite it being the largest construction project in Europe. However, questioning the lack of policy in the WSLP is not a matter for my consideration in this appeal. The WSLP has been through the required statutory process and the WSLP Examiner concluded that it was sound.
15. I am advised by the Council that all the camp sites referred to in the appellant's Planning Statement used for HPC workers accommodation have been sanctioned through the Development Consent Order process, which authorised their use. Furthermore, I do not have full details of the circumstances that led to planning permission being granted and so I cannot be sure that they represent a direct parallel to the appeal proposal. In any event, I have considered the appeal on its own merits.
16. Paragraph 89 of the Framework advises that it is important to ensure that development in locations that are not well served by public transport exploits any opportunities to make a location more sustainable. In this case, while there are buses stops close to the appeal site which serve HPC, it has not been put to me that other services and facilities to meet the day to day needs of workers residing at the site are easily accessible by sustainable transport modes, or that opportunities have been exploited to make the location of the site more sustainable.
17. While the proposal would be unlikely to have a significant adverse impact on tourism due to closure of the facility during winter months and would not require new infrastructure or physical development or improvements to be provided, it would nevertheless be physically remote from a range of services and facilities necessary to meet the needs of workers who may reside at the site.

Other Matters

18. Compliance of the proposal with Policy NH5 of the WSLP in relation to landscape and ecology are expectations for all development and count neither for nor against the proposal.
19. I understand that there is a licence for the camp site with no time restrictions on the length of stay. However, licencing is a separate entity to planning. The fact there is a licence which does not limit the length of stay holds limited weight in my considerations.

Planning Balance and Conclusion

20. The condition in dispute is necessary having regard to the location of the site. Accordingly, the proposal conflicts with the development plan, when considered as a whole. The limited benefits of the proposal outlined above do not outweigh the harm that I have identified. As such, material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with the development plan. For the reasons given above, and taking account all other matters raised, the appeal should be dismissed.

U P Han

INSPECTOR