



Appeal Decisions

Site visit made on 20 May 2025

by Jennifer Wallace BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2025

Appeal A Ref: APP/W3520/W/24/3354473

Camping Site and Premises, Sudbourne Hall Farm, Mill Road, Wyverstone, Suffolk IP14 4SE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Barry Diaper of Five Acre Holiday Camp against the decision of Mid Suffolk District Council.
 - The application Ref is DC/23/01617.
 - The development proposed is proposed toilet facilities for campsite.
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Appeal B Ref: APP/W3520/W/24/3354474

Five Acre Holiday Camp, College Road, Wyverstone, IP14 4SD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr B Diaper of Five Acre Holiday Camp against the decision of Mid Suffolk District Council.
 - The application Ref is DC/24/00158.
 - The development proposed is continued use of land for touring caravan/camping pitches. Retention of holiday lodge in alternative position to that approved under 3917/16. Retention of landscaping and access track.
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Decision

1. Appeal A is allowed and planning permission is granted for toilet facilities for campsite at Camping Site And Premises, Sudbourne Hall Farm, Mill Road, Wyverstone, IP14 4SE in accordance with the terms of the application, Ref DC/23/01617, subject to the conditions in the attached schedule.
2. Appeal B is allowed and planning permission is granted for continued use of land for touring caravan/camping pitches, continued siting of holiday lodge in alternative position to that approved under 3917/16. Siting of landscaping and access track at Five Acre Holiday Camp, College Road, Wyverstone, IP14 4SE in accordance with the terms of the application, Ref DC/24/00158, subject to the conditions in the attached schedule.

Preliminary Matters

3. On 12 December 2024, a revised National Planning Policy Framework (the Framework) was published. Those parts of the Framework most relevant to this appeal have not been materially amended. As a result, I consider that there is no requirement for me to seek further submissions and I am satisfied that no party's interests have been prejudiced by my taking this approach. I will refer to the updated paragraph numbers in this decision.

4. I have taken the site address for each appeal from the relevant application form. While these are different, and other addresses may have been used in other applications, each site is clearly identified in the site location plan submitted with each appeal. Any ongoing enforcement matters at the site are a matter for the Council and not within the remit of this appeal.
5. I have amended the description of development for both appeals to reflect the fact that both developments have been carried out.

Main Issues

6. The main issue for both appeals is whether the site is a suitable location for the development having regard to the policies of the development plan.
7. For Appeal A, there is a further main issue as to whether the development has an acceptable effect on the water environment.
8. For Appeal B, there is a further main issue as to whether the proposal makes appropriate provision for biodiversity net gain.

Reasons

Suitable Location

9. Babergh and Mid Suffolk Joint Local Plan – Part 1 (adopted November 2023) (LP) Policy LP13 sets out that proposals for applications for tourist accommodation in the countryside will be considered on an exceptional basis and sets out criteria for assessment. I am satisfied that expansion to an existing site offering tourist accommodation constitutes an overriding business need to be in that location. The site is an expansive area of open space with landscaped boundaries to the neighbouring properties. While the proposal is different in that the large fishing pond is no longer proposed, the original permission did not require the delivery of the pond. There is no substantive explanation as to why the development is considered to be not sympathetic to the character of the area. From my observations at my site visit and the previous approval for the use of the site for holiday lodges, I have no reason to consider the proposal to be unsympathetic to the character of the area. The lodge and toilet block are modest structures in the context of the site, with appearances typical of such structures. Touring caravans and tents would be temporary given the nature of the use.
10. The Council has not disputed the appellant's evidence that public transport provision throughout the authority is weak. In that context, the very limited provision described by the Council as being at Wyverstone Street is sufficient to demonstrate the site is accessible by a range of transport modes in this context. Although it would be accessed along a road with no footpath or lighting, it is a short distance.
11. There would be economic benefits from the additional spend provided by tourists. The policy does not specify any limit to where these benefits should accrue, and by its very nature, it is likely that the economic benefits of tourism in a rural area would be realised over a wide area. The Council has not disputed the social benefits the appellant has identified with respect to the wellbeing benefits to people from spending time in the countryside. As set out further in this decision, biodiversity enhancements can be secured by condition.

12. As I am satisfied the use for touring caravan and camping pitches is acceptable, there is an overriding business need for the toilet block to provide facilities to serve that use.
13. For these reasons, I am satisfied that the site is a suitable location for both Appeal A and Appeal B. They would both accord with the criteria in LP Policy LP13 for the reasons set out above and so would also be in accordance with LP Policy SP03.

Water Environment

14. The toilet block contains four showers and five toilets, served by a 6 person treatment plant. This, following treatment, discharges water to ground via a soakaway. Control of discharges to protect the environment is regulated by the Environment Agency. The Framework is clear at paragraph 201 that it should be assumed that separate pollution control regimes will operate effectively. If the proposed treatment plant is not sufficient to deal with the waste generated, this will be a matter to be addressed under the relevant pollution control regime.
15. I am therefore satisfied the development has an acceptable effect on the water environment. It would therefore be in accordance with LP Policy LP15 which requires development to demonstrate appropriate consideration of pollution.

Biodiversity Net Gain

16. The application form for Appeal B is dated 8 January 2024. I have no reason to think this was not the date on which the application was made. This was prior to biodiversity net gain becoming a mandatory requirement therefore the provisions of Schedule 7A of the Town and Country Planning Act 1990 (as amended) do not apply.
17. Notwithstanding, LP Policy LP16 requires development to secure net gains for biodiversity, equivalent to a minimum 10% increase. Given the nature of the application and the size of the site, I am satisfied this is a matter that could be addressed by condition. Through this, the duty under Section 40 of the Natural Environment and Rural Communities Act 2006 would also be discharged.
18. Appropriate provision for biodiversity net gain could therefore be made and Appeal B would therefore be in accordance with LP Policy LP16 which requires development to secure measurable net gains.

Other Matters

19. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. There are three Grade II Listed Buildings with their gardens contiguous to the appeal site. The significance of Yew Tree Cottage is derived from its architectural interest, particularly as a folly, and historic interest from its connections to Westhorpe Hall and the former rectory. The significance of Sudbourne Farmhouse and the barn about 40 metres south east of Sudbourne Farmhouse lies in their architectural interest and historic interest as to the development of agriculture in the area. The setting of all is their well defined gardens/ associated land. Both Appeal A and Appeal B would have a neutral effect on the setting of all three listed buildings and so would preserve their setting.

20. The Council has not identified any adverse effects on living of neighbouring occupiers and I have no reason to find otherwise. The limited scale of the proposal is such that there would only be a limited number of visitors and the scale of economic benefit would reflect this. However it is often the case that rural tourism development is of a limited scale. Any future applications would be determined on their own merits. There is no substantive evidence of protected species on the site.

Conditions

21. The Council has suggested several conditions should the appeals be allowed. I have had regard to these in light of the advice contained within paragraph 57 of the Framework and the Planning Practice Guidance (PPG). I have amended the suggested conditions in the interests of clarity and precision. I have imposed a standard condition confirming the approved plans to define the terms of the permission on each appeal.
22. With respect to Appeal A, it is not necessary to impose the suggested drainage condition as it addresses a matter covered by the environmental permitting regime. Biodiversity net gains, as required by LP Policy LP16 can also be secured by condition. For the avoidance of doubt, the application for Appeal A was made prior to biodiversity net gain becoming a mandatory requirement.
23. With respect to Appeal B, it is reasonable and necessary to control the number of lodges and pitches for touring caravans and tents. I note the comments of the appellant that a condition should specify the maximum number of pitches. However, the Planning Statement confirms there would be space for 1 car with each pitch. There is no plan before me demonstrating how this would be achieved. It is necessary in the interests of the character and appearance of the area and living conditions of surrounding occupiers to control the number of pitches on the site and their layout. A condition is therefore necessary.
24. It is reasonable and necessary to ensure the site is occupied as holiday accommodation only as this is the basis on which the proposal has been assessed. It is also reasonable and necessary in the interests of the character and appearance of the area, living conditions of surrounding occupiers and highway safety that details of car and cycle parking provision and refuse storage and collection are agreed. In the interests of promoting sustainable modes of transport, it is reasonable and necessary to secure the provision of electric vehicle charging points. Biodiversity net gains, as required by LP Policy LP16 can also be secured by condition.

Conclusion

25. For the reasons given above, Appeal A and Appeal B should be allowed.

Jennifer Wallace

INSPECTOR

Schedule of Conditions – Appeal A

- 1) The development hereby permitted shall be carried out in accordance with drawing nos 0231-0100-P02; 0231-0200-P02 and 0231-0300-P02 GA.
- 2) Within three months of the date of this decision a biodiversity enhancement scheme, consistent with the 'Ecology Mitigation' section of the submitted Planning Statement shall be submitted to and approved in writing by the Local Planning Authority. The approved enhancement measures shall be installed within three months of the date of approval of the biodiversity enhancement scheme, the details set out in the agreed plan shall be installed on the site and thereafter retained.

[END]

Schedule of Conditions – Appeal B

- 1) The development hereby permitted shall be carried out in accordance with drawing titled Site Location Plan and Block Plan.
- 2) A maximum three lodges shall be sited on the site defined by the approved red line plan and shown on the Block Plan at any one time.
- 3) Within three months of the date of this decision, a layout plan showing details of individual touring caravan and camping pitches shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved plan. The number of touring caravans and tents shall not exceed the agreed maximum number at any time.
- 4) The holiday lodges, touring caravan and camping pitches hereby approved shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The hereby approved holiday lodges, touring caravan and camping pitches shall not be occupied between 8th January and 8th February in any calendar year. The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual lodges and caravans on the site, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.
- 5) Within three months of the date of this decision, details of a vehicle parking area which meets the requirements of Suffolk Guidance for Parking 2023 and including a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved vehicle parking scheme shall be implemented in accordance with the approved timetable with the vehicle parking area being retained in this form at all times and not to be used for any purpose other than the parking of vehicles that are related to the use of the development.
- 6) Within three months of the date of this decision, details of a cycle parking area which meets the requirements of Suffolk Guidance for Parking 2023 and including a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved cycle parking scheme shall be implemented in accordance with the approved timetable with the cycle parking area being retained in this form at all times and not to be used for any purpose other than the parking of cycles that are related to the use of the development.
- 7) Within three months of the date of this decision, details of an electric vehicle charging scheme and its supporting infrastructure which meets the requirements of Suffolk Guidance for Parking 2023 and including a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved electric vehicle charging scheme shall be implemented in accordance with the approved timetable with the electric vehicle charging infrastructure being retained in this form at all times and not to be used for any purpose other than the charging of electric vehicles that are related to the use of the development.
- 8) Within three months of the date of this decision, details of a refuse and recycling bin scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include plans at suitable scale which show the required storage, presentation and collection details and a timetable for the

implementation of the refuse and recycling bin scheme. Thereafter, the approved refuse and recycling bin scheme shall be implemented in accordance with the approved timetable with the refuse and recycling bin storage and presentation area shall be retained in this form at all times and not to be used for any purpose other than the storage and presentation and collection of refuse and recycling bins that are related to the use of the development.

- 9) Within three months of the date of this decision a biodiversity enhancement layout plan shall be submitted to and approved in writing by the Local Planning Authority. Within three months of the date of approval of the biodiversity enhancement layout plan, the details set out in the agreed plan shall be installed on the site.

[END]