



Appeal Decision

Site visit made on 7 July 2025

by **R Bartlett PGDip URP MRTPI**

an Inspector appointed by the Secretary of

State Decision date: 29th of July 2025

Appeal Ref: APP/V2635/W/25/3362666

Frogs Hall, Barwick Road, Stanhoe, Norfolk, PE31 8PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr D Symington against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref is 24/01186/OM.
 - The development proposed is proposed site for holiday accommodation.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Symington against King's Lynn and West Norfolk Borough Council. This is subject to a separate decision.

Procedural Matters

3. Since the application was determined, the Council has adopted the King's Lynn and West Norfolk Local Plan 2021-2040 (2025) (the local plan). This replaces the former Core Strategy (2011) and the Site Allocations and Development Management Policies Plan (2016). The National Planning Policy Framework (the Framework) was also revised in December 2024. I must determine this appeal based upon the policies that are in place at the time of my decision. The appellant was aware of the emerging local plan policies, and as the adoption of the new local plan was referred to in the Council's Statement of Case and copies of the relevant policies were provided, the appellant had the opportunity to view and address these at the final comments stage. The revision of the Framework occurred prior to the submission of the appeal and was well publicised.
4. The application form and design and access statement refer to the application being for full planning permission to use the land for the stationing of up to 46 holiday cabins, falling within the definition of caravans, to be arranged around an internal road network, featuring an outdoor community area within its centre. It is also proposed to use the existing dwelling as a manager's dwelling and shop, to create a new vehicular access onto the B1454 Fakenham Road and to install a sewerage treatment plant. The type of application and description of development was subsequently amended to outline planning permission with some matters reserved for proposed holiday site accommodation. I have not been advised what led to this change, which would have required the appellant's agreement.
5. An outline application can only be made for building operations. The stationing of caravans, which are not buildings, is a use of land. The change of use of land for

the siting of caravans and the change of use of part of the dwelling to a shop, should have been dealt with as a full planning application, and detailed plans of any associated operational development requiring planning permission, such as the new access onto a classified road, provided. As I am dismissing the appeal anyway, and the reasons for refusal do not relate to matters that could have been reserved, I have put aside my procedural concerns and addressed the main issues raised.

Main Issues

6. The main issues are:

- Whether the site is a suitable location for holiday accommodation;
- The effect of the development on highway and pedestrian safety;
- The effect of noise, dust and odour on future occupiers of the proposed holiday accommodation and whether any effects would result in restrictions being placed on nearby businesses;
- The effect of the development on protected and important species; and
- The effect of the development on the integrity of European designated sites.

Reasons

Location

7. Policy LP02 of the local plan specifically relates to residential development and is therefore not relevant to this proposal for holiday accommodation. Policy LP07 is generally supportive of improving and enhancing the visitor economy, including smaller scale tourism opportunities in rural areas, providing these are in sustainable locations and are not detrimental to the natural and historic environment. It also states that the development of new and existing tourism accommodation will be permitted in rural areas where it is, amongst other things, located in or adjacent to villages and towns. However, policy LP07 makes no reference to holiday sites, which are defined by policy LP09 as those relating to static caravans, log cabins, park homes, yurts, chalets and pitches for tents, caravans and campervans. Such sites are typically located in coastal or rural areas. Policy LP09 is clearly the most relevant policy to this proposal for the siting of holiday caravans, and it seems to me that the reference to tourist accommodation in policy LP07, is more relevant to other forms of built tourist accommodation such as hotels, hostels, and holiday cottages.
8. Policy LP09 of the local plan states that proposals for new holiday sites will be supported where it can be demonstrated that these could deliver sustainable tourism. It goes on to list the criteria that should be met and the conditions that should be applied to new holiday accommodation, requiring proposals for new holiday sites to: a) be supported by a business plan demonstrating how the site will be managed and how it will support tourism or tourist related uses in the area; and b) to demonstrate a high standard of design in terms of layout, screening and landscaping ensuring minimal adverse impact on visual amenity and conserving and enhancing the historic and natural environment. I address the third criteria, relating to transport impacts, later in this decision.

9. Paragraph 88 of the Framework supports sustainable rural leisure developments which respect the character of the countryside. Paragraph 89 of the Framework states that sites to meet local business and community needs in rural areas may have to be found adjacent to and beyond settlements, and in locations that are not well served by public transport.
10. Whilst it may be preferable for holiday sites to be located adjacent to towns and villages where suitable opportunities exist, such sites are generally reserved for housing and employment. There is no requirement within policy LP09 or the Framework for holiday caravan sites to be within or adjoining settlements. I noted that there are several other caravan, camping and glamping sites nearby, which are equally detached from settlements and facilities, although these appear much smaller in scale than the proposal before me.

Business Plan

11. An Economic Benefit Impact Assessment has been submitted but this is quite generic, explaining the benefits of tourism and self-catering holiday accommodation, the increase in demand for such accommodation nationally and regionally, the type of expenditure generated by it and how this expenditure equates to generating or supporting jobs offsite. It also contains some limited information regarding the appellant's agricultural enterprise and how this would be supported by the proposal. The agricultural enterprise supplies supermarkets, but also local shops, a pub approximately 10 miles away, and it would supply the proposed onsite shop, although I have no plans and limited information regarding this. It also employs local contractors for services such as repair and maintenance of machinery and buildings. However, this is not a business plan and does not demonstrate how the proposed holiday site would be managed or how it would support other existing tourism or tourist related uses in the local area.
12. Although paragraph 4.29 of the Economic Assessment bullet points a few positive ideas, these need to be expanded upon to form a more detailed business plan. This would normally include details such as whether the caravans would be sold or let, site opening details, maximum/minimum letting periods, how lettings will be recorded for inspection by the local planning authority, how the site would be advertised and marketed and who it would be aimed at, arrival and departure procedures, site rules, how the site would be managed, secured and maintained, how will the owner/manager work with other local businesses to support the vitality and viability of local services and facilities, information packs of local places to visit, shop, eat out, information about protecting the environment, at what stage in the development would the onsite shop be provided, how often will it open, what will it sell, which products would be locally sourced and where from, will there be electric vehicle charging points, where will waste and recyclable waste be stored and collected, how will the existing access track be used and controlled, which access will deliveries to the shop use, will gas bottles be stored on site, if so where/how, how many full or part-time jobs would be created, would these be seasonal/temporary.
13. The application form states that no jobs would be created, but even if the holiday caravans were all sold/private owned and thus would not require regular cleaning between customers unlike short term lets, there would be a site manager to deal with sales, to administrate and manage site fees and services, to maintain the site

grounds and to run the shop. Owners of caravans would also require repairs and maintenance.

Design, layout and screening

14. The site comprises a triangular parcel of land, which is mostly undeveloped grass land, adjacent to a modest dwelling and domestic outbuildings, its garden, and an area used for the external storage of various old vehicles, trailers, farm machinery and associated items. To the north of the site is a long narrow grass paddock, beyond which there is a restricted byway. There are roads adjacent to the other two boundaries and a dwelling on the opposite side of the Burnham and Fakenham Road crossroads. The wider area is surrounded by agricultural land comprising a mixture of crops and land used for keeping pigs, housed in temporary moveable shelters.
15. The siting and maximum size of the proposed holiday caravans would be controlled to some extent by licensing requirements. The maximum number of caravans to be stationed on the site, and how and when the caravans can be occupied, could be controlled by planning conditions.
16. The latest indicative layout shows the siting of 46 caravans, across the whole of the site. Each caravan would have two car parking spaces, with additional parking outside the managers dwelling and shop. The caravan bases, car parking spaces and the tarmac roadways to serve these would result in a significant increase in hard surfaces, which are not reflective of the rural area. There is no justification for the level of parking proposed, which if approved would be restricted to short term lets, which would be likely to be visited by families and couples arriving in a single vehicle.
17. Whilst I acknowledge caravans are of limited size and height, little space has been shown for new planting along the northern boundary, which currently has very limited screening. Although a communal open space area and extended woodland area are proposed, the top corner of the site, which contains the larger more mature trees, a pond and rough grassland habitat, would be replaced with access roads, and hardstanding for caravans and car parking, sited tightly alongside the pond and mature trees. It would seem more logical to leave this area, which relates closely to ponds and wooded areas on neighbouring sites, undeveloped and undisturbed by visitors and their dogs, to provide biodiversity benefits and enhancements. A separate child and dog friendly open space could be provided elsewhere.
18. The managers dwelling and shop would be some distance from the new entrance, with no direct access to them for visitors checking in and out, or for shop deliveries. No waste storage, collection and turning areas for refuse vehicles are shown close to the site entrance and exit. There is also no space shown to create an attractive secure entrance, with caravans and parking spaces being indicated immediately adjacent to this. It is unclear if the existing access to the managers dwelling and shop would be resurfaced, how its use would be restricted, if this is considered necessary, or whether visitors would have pedestrian or cycle use of it. Nor are any pedestrian or cycle accesses proposed in the corner closest to the public footway, byway and the only nearby facilities at Range Farm.
19. I therefore conclude that although the siting of caravans for holiday use in this location would be acceptable in principle, there is no site-specific business plan to

demonstrate how the proposed site would be managed or how/which local tourist related uses it would support. Furthermore, based upon the indicative plans provided, the scale of the development, in terms of both the area of land to be developed and the number of plots, and the proposed layout, would fail to respect the character of the countryside. The proposal would therefore be contrary to policy LP09 of the local plan and paragraph 88(c) of the Framework.

Highway and pedestrian safety

20. In addition to the above, policy LP09 of the local plan requires proposals for holiday sites to be supported by a suitable and proportionate transport assessment to demonstrate that the site can be safely accessed.
21. The site is currently accessed via a dirt track from Barwick Road, a 60mph narrow single lane road with no lighting, footpaths or passing places. It is proposed to retain this access to serve the existing dwelling, and to create a new access from the B1454 Fakenham Road to serve the new holiday park. This is a relatively straight, 60mph road, catering for two-way traffic, with grass verges on both sides but again with no footpaths or lighting.
22. The application was accompanied by a Highway Statement, which states that a 5.5m wide access road, for the first 20m into the site from Fakenham Road would be constructed, with visibility splays of 2.4m by 215m, requiring some trimming back of the boundary planting. The speed survey and traffic flow data provided demonstrate that traffic levels and speeds are not excessive along the Fakenham Road site frontage, with a maximum of about 3 vehicles per minute in any one direction at peak time, and speeds being within the limit and below. There is only one recorded accident in the area over the last 5 years, which involved a single vehicle and was caused by frost or ice on the road surface.
23. I saw that there are other accesses along this stretch of road, some of which I am advised are new and recently approved. Despite the level of parking provision shown on the indicative layout, traffic generated by holiday accommodation is generally quite low, particularly during the week and outside of peak seasons.
24. The local highway authority has confirmed as part of the appeal that it has no objection to the proposed new access onto the B1454 Fakenham Road. Based upon my own observations and the evidence before me relating to traffic speeds and volumes using the road and the traffic volume likely to be generated by the proposal, I have no reason to reach a different view.
25. Regarding the lack of off-site facilities for pedestrians/people with disabilities, this is not a requirement of policy LP09. Whilst I noted that there are facilities in nearby villages, such as the public house and stores approximately 2 miles away in Stanhoe, a public house and restaurant, a delicatessen store and café approximately 3 miles away in Great Bircham, and a Post Office, Spar convenience store and a fish and chip shop approximately 3 miles away in Docking, these would mostly be accessed by car, or possibly by walking or cycling along the quieter country roads to Stanhoe and Great Bircham during daylight, where I did see several cyclists.
26. I also noted that the nearby Range Farm Glamping site, which is within walking distance of the site, serves hot and cold food and drinks to take away or to eat outside. As the trees along the site frontage would need to be cut back and the

grass verge maintained to provide appropriate visibility from the new site access, visitors would be able to walk along the grass verges between these sites. The distance walked along the verge could also be reduced by providing a pedestrian/cycle access in the northwest corner of the site. I noted that the other campsites accessed along this road also have no footpaths to the front, but well-maintained grass verges. As Fakenham Road is relatively straight and does not carry a constant flow of traffic, it can be crossed safely by pedestrians.

27. The appellant has offered to provide a new footway along the site frontage between the proposed new vehicular access and the restricted byway and public footpath that run alongside the edge of the fields to the north of the site, on either side of the B1454. As there is no mechanism before me to secure this footway, which would be on land outside of the red line boundary and appellant's ownership, I can afford it little weight. Furthermore, the byway from Fakenham Road does not appear to lead anywhere, ending slightly further along Barwick Road than the existing site access. The public footpath across the field on the opposite side of Fakenham Road appears to lead to Bircham, but my attention has not been drawn to any facilities there for tourists. Neither the byway or footpath are surfaced, and therefore whilst these provide facilities for leisure and dog walking, a formal hard surfaced path to these would be of little benefit.
28. It is proposed to change the use of part of the managers dwelling to a shop, which would supply holiday visitors with day-to-day essentials. As I have not been provided with any plans identifying the precise scale or location of this within the dwelling, or with any details of what it would supply, I can afford this limited weight. However, it is generally accepted and well known that visitors to this type of self-catering holiday accommodation in rural areas will arrive, leave and visit nearby attractions by car, often bringing some essentials from home, or calling at a shop on their way to the site, or as part of linked journeys made by visitors calling at shops or restaurants on their way to and from other nearby tourist attractions and destinations. As the proposal relates to holiday accommodation, it is not necessary to be located close to education, healthcare and employment. The supporting text to policy LP07 states that the main tourist appeal in the borough is based on the unique natural environment assets. Despite the absence of a business plan, it was apparent from my visit that there are multiple coastal attractions, villages, beaches, and nature reserves within a 15 to 20 minute drive, as well as local shops and eateries closer by, which would in addition to the onsite shop meet the needs of visitors without the need for long distance journeys.
29. I therefore conclude that vehicles leaving the site from the new access or slowing down and waiting to turn right into the site, would not result in danger or any significant inconvenience to other highway users. The development would be highly unlikely to result in any conflict between road users and pedestrians given the limited places available to walk to nearby and the wide verges that would be available once the visibility splays have been provided. There is no compelling evidence before me as to why offsite facilities would be reasonably necessary. The proposal would therefore accord with policy LP09(1)(c) of the local plan, which requires safe access to be demonstrated, and the Framework, which recognises opportunities to maximise sustainable transport solutions will vary between urban and rural areas.

Noise, odour and dust

30. The site is in a rural location surrounded by agricultural land. Consequently, the potential presence of livestock, and the potential for noise, dust and odour associated with farming the surrounding land is to be expected. Most people opting to take a countryside break would be aware of the type and nature of activities that take place in the countryside and that many farming activities resulting in noise, dust and odour tend to be undertaken infrequently and over short periods of time. Furthermore, given that the proposal is for holiday accommodation, visitors would be on site for limited periods of time and would be highly unlikely to make a complaint that could be justified. I also noted that existing residential developments and holiday parks are located closer to the fields where pigs are kept, and to the wastewater treatment plant that was drawn to my attention, than the proposed holiday site. I have not been advised or provided with evidence of any previous complaints having ever been made about noise, odour or dust in the area.
31. At the time of my visit I noted that horses were grazing in the field to the north of the site and pigs were being kept in the field on the opposite side of Fakenham Road. There were no animals in the field on the opposite side of Barwick Road although I have been advised that pigs are rotated every two years, on three fields surrounding the site. No concerns have been raised about the grazing of horses. The pigs and the temporary shelters provided for them, were spread across a substantial area of land, some distance away from the site, beyond the extensive landscape buffer that surrounds much of it and the main road. I could hear no noise, other than road noise, and observed no dust or odour from pigs, from any other farming activities or from the wastewater treatment plant.
32. Noise, odour and dust reports have been submitted with the appeal, which conclude that the potential for odour from pigs was slight in parts of the site and negligible elsewhere. Odour from the wastewater plant was found to be negligible. Dust from land housing pigs was found to be slight and not significant. The main source of noise was from passing traffic on Fakenham Road. Noise from delivery vehicles to the site would be no greater than that of existing road noise or deliveries to existing dwellings. Whilst I appreciate that loading, unloading and relocating pigs would generate some noise, such instances would be infrequent and would take place over a short period of time.
33. The Council's Community Safety and Neighbourhood Nuisance Team have withdrawn their objections, albeit subject to conditions that do not appear to be reflective of the fact that the proposal relates to the siting of caravans as opposed to the construction of buildings. The suggested conditions would not in my view be reasonable or necessary having regard to the nature of the proposed holiday use and the infrequent and insignificant likelihood of noise, dust or odour effecting its users.
34. I therefore conclude that future occupiers of the proposed holiday accommodation would be unlikely to have any justifiable grounds for complaint regarding surrounding farming and countryside activities and as such the proposal would not result in unreasonable restrictions being placed upon local businesses. The road traffic noise and wastewater treatment plant are not directly linked to any business but would also not result in any unacceptable harm to holiday visitors. In reaching this view I am mindful of the fact that traffic levels and noise would be lower at

nighttime when visitors would be sleeping. The proposal would therefore accord with Policy LP21 of the local plan, which seeks to ensure new development would not adversely affect the amenity of the wider environment, neighbouring uses and future occupiers of the development.

Protected and Important Species

35. Paragraph 99 of Government Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and their Impact Within the Planning System states that:

“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and/or planning obligations, before the permission is granted. In appropriate circumstances the permission may also impose a condition preventing the development from proceeding without the prior acquisition of a licence under the procedure set out in section C below.”

36. The submitted Preliminary Ecological Appraisal (PEA), undertaken in November 2021 and updated following a further walkover survey in March 2024, identifies a small number of trees within the site that are considered to provide low and moderate bat roost suitability. One of these trees is dead and requires removal. The grassland and boundary planting, some of which would be lost, also provide bat foraging and commuting habitat. Bats are known to be present in the area and as such, further surveys are necessary to determine the extent of their presence and how they may be affected by the development prior to granting planning permission. There are no exceptional circumstances before me that would indicate this could be covered by a condition. The results of the survey will inform any necessary conditions or mitigation measures.
37. The site contains a pond, which was dry at the time of my visit. The PEA confirms that this pond, due to holding little or no water at most times, would not support Great Crested Newts (GCN). There is a further pond in the field to the east of the site, on the opposite side of Barwick Road, which is also considered unlikely to support GCN due to the absence of suitable surrounding ponds and ditches. I also note that there are no records of GCN in the 2km data search. Whilst eDNA testing of the pond in the adjacent field could rule out the presence of GCN, this is on third party land that I understand may be owned by an objector, and access to it may not be granted. Although I have been advised that the site is suitable for District Level Licencing, I have not been provided with the appropriate certificate countersigned by Natural England to confirm that this would be the case. Circular 06/2005 states that surveys should be proportionate. In this case, given the absence of any credible evidence that GCN are present and would be affected by the development, further GCN surveys are unjustified.

38. The PEA also recommends further surveys in relation to Brown Hares, and breeding and wintering birds. Brown Hares, although not a European protected species, are a species of principal importance, and birds are also protected. The PEA recognises that the site provides suitable habitat for Hares, and a variety of birds, which are known to be present in the area and have been seen on the site. I noted that Geese and Goslings were present on site at the time of my visit.
39. I acknowledge that conditions could be imposed to control external lighting and to secure mitigation and enhancement measures. However, the significance of the site for different species must be assessed and sensitive features identified, in order to inform the necessary requirements of such conditions, and to inform the layout and landscaping of the development. Furthermore, I could not condition the mitigation and enhancement plan included within the PEA, as it proposes a different number of caravans and a different layout of roads, including access to the caravan site from the existing access track, from the indicative layout submitted and the layout shown in the Nutrient Neutrality mitigation plan. It also segregates the proposed managers dwelling and shop from the caravan site and it is unlikely that plots would be divided by planting due to maintenance requirements, the need to be able to ride a mower between plots, and the need to be able to move caravans on and off the plots.
40. I therefore conclude that there is insufficient evidence before me to establish whether the site can be developed without causing harm to any protected or important species and the appellant has not provided any justification as to why I should disregard the professional recommendations of the PEA submitted in support of their application. Consequently, the proposal is contrary to policies LP18 and LP19 of the local plan and paragraphs 187, 192 and 193 of the Framework, which seek to conserve the natural environment and to avoid, and where this is not possible, with justification, mitigate or compensate for any adverse impacts on biodiversity.

Integrity of European Designated Habitats Sites

41. The site lies within the nutrient neutrality catchment of the River Wensum Special Area of Conservation (SAC), and the Zone of Influence of several other European protected sites. As the proposal would provide new overnight visitor accommodation, it has the potential to increase nutrients reaching the river, via wastewater drainage systems, and to increase recreational pressure.
42. A nutrient neutrality assessment was submitted with the application. The calculations are based upon the holiday park operating 30 weeks per year at only 50% occupancy. The opening times and occupancy rates are not supported by any business plan for the proposal or any other form of justification. The Economic Benefit Impact Assessment refers to 60% occupancy over the whole of the year. Even at these reduced operational rates, the calculations indicate mitigation would be required for Phosphorous. It is proposed to mitigate this by the provision of onsite wetland utilising an area of 110sqm, which could be comfortably accommodated within the site, which is in the region of 3.9Ha and could be secured by a condition.
43. I note that the total site area varies between different application forms and supporting documents. As the area quoted on the Biodiversity Metric Form is higher than that stated on other documents, it is unlikely to result in a reduced

baseline calculation, and the relevant net gains would need to be demonstrated in order to discharge the statutory condition prior to commencement of development.

44. The proposal would result in increased visitors using the area for recreational purposes. The submitted Section 111 form advises that no mitigation payment has been made towards the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy Tariff (GIRAMS), as a Unilateral Undertaking (UU) is proposed. A UU template has been submitted, which seeks to secure a GIRAMS contribution, but this has not been completed and executed. As such, I cannot be certain that recreational impacts on European sites would be mitigated.
45. Based upon the evidence before me, I cannot be certain that the proposal would not have a significant adverse effect on the integrity of protected habitats, either alone or in combination with other plans and projects, as a result of increased nutrient pollution and recreational disturbance. Consequently, the proposal would fail to accord with Policies LP18 and LP19 of the local plan and paragraphs 187, 193 and 194 of the Framework, which seek to conserve the natural environment and support nature recovery strategies.

Conclusion

46. Whilst the use of land as a holiday caravan park in this location could be acceptable in principle and would not be detrimental to highway safety, I have concerns relating to the scale and layout of the development, how it would contribute positively to sustainable rural tourism and its effects upon the character of the countryside, protected and important species, and the integrity of European designated habitats sites. Further surveys need to be undertaken, the results of which would inform the scale and layout of the proposal, in conjunction with licensing requirements, and a detailed business plan to demonstrate how the development would be policy compliant in terms of providing short term lets and supporting sustainable tourism without resulting in harm to the natural environment. Suitable mechanisms should also be provided to secure any offsite measures or financial contributions necessary to mitigate any identified impacts.
47. The proposal would not accord with the development plan as a whole, and there are no material considerations that indicate a decision should be taken other than in accordance with this. I therefore conclude that the appeal should be dismissed.

R Bartlett

INSPECTOR