



Appeal Decision

Site visit made on 16 September 2025

by **I A Dyer BSc (Eng) FCIHT**

an Inspector appointed by the Secretary of State

Decision date: 18th September 2025

Appeal Ref: APP/F2605/W/25/3369279

Shepherd Lodge, Ellingham Road, Scoulton, Norfolk NR9 4NT

- 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 L Wallis against the decision of Breckland Council.
 - The application reference is PL/2024/1186/FMIN.
 - The development proposed is conversion of outbuilding to be used as Annexe and Airbnb (retrospective).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether the site is a suitable location for the development, having particular regard to local policy for tourism.

Reasons

3. Whilst the Council identifies that the site is located within Scoulton, it lies outside of any development boundary as identified within Policy GEN03 of the Breckland Local Plan (2023) (the Local Plan).
4. The Council's spatial strategy for development is set out in Policies GEN1, GEN03 and GEN05 of the Local Plan. Together, with Policy TR01 of the Local Plan, these set out a development strategy that seeks to locate development where it will minimise the need for travel to access services and facilities without recourse to less sustainable modes of transport to support the transition to a low carbon future.
5. Policy GEN05 of the Local Plan restricts development outside defined settlement boundaries unless it is compliant with all the relevant policies set out in the local plan, so as to protect the intrinsic character and beauty of the countryside.
6. Policy EC07 of the Local Plan sets out the Council's approach to new holiday accommodation. EC07 identifies that tourism infrastructure will be supported in accordance with the Council's development strategy where this would benefit the local economy. EC07 also sets out general criteria under which such development will be considered.
7. The development is small-scale, being for a single unit of accommodation, and utilises an existing building. It does not change the character or appearance of the building, and it is not a matter of dispute between the parties that the development would not harm the character of the landscape within which it lies.

8. Further, there is no suggestion from either party that the development uses brownfield land. On the basis of the evidence before me, I see no reason to dispute these matters.
9. Scoulton is a small settlement. At the time of my site visit I did not observe any services, such as public houses, convenience stores or restaurants in the immediate vicinity of the site, and no specific facilities catering for the day-to-day needs of tourists have been identified nearby.
10. The roads in the immediate vicinity are unlit and have limited footway provision. Norwich Road is subject to a 50MPH speed limit, whilst Ellington Road itself is subject to the national speed limit. The nearest bus stop lies some distance away on Norwich Road, however, there is no continuous footway to link the site to it.
11. The lack of street lighting, pedestrian facilities and the speed of vehicles travelling on the local roads is likely to deter walking and cycling to the bus stop, or further afield, to such a degree that occupiers of the accommodation would be almost entirely dependent on the use of the private car to meet their travel needs. Similarly, there are no footpaths or bridleways in the immediate vicinity and so opportunities for leisure walking or cycling are similarly limited. Given the small scale of the development, opportunities to meaningfully improve access by sustainable modes of transport would be very limited.
12. Whilst the appellants identify that their clients enjoy the rural retreat, it is close to the B1108, which is a busy road, and has very limited opportunities to experience the wider countryside without recourse to travel by car. No attractions local to the site have been identified to justify the provision of the accommodation in this particular location and, again, car travel is the only practicable mode of transport to reach such destinations. Indeed, the appellant identifies convenient access to a car and the road network as being necessary, both to reach the accommodation and whilst staying there.
13. The appellant has brought my attention to a recent planning permission for tourist accommodation nearby¹. However, this is not in the immediate locality of the appeal site, and I have no substantive evidence before me to demonstrate that that development was so similar to that which I am considering as to provide a meaningful comparison. I have, in any case, determined this appeal on its own merits.
14. Bringing these matters together the development does not gain support when assessed against the assessment criteria set out for all tourist development in Policy EC07. The proposal would undermine the spatial strategy of the development plan, which seeks to locate development in the most sustainable locations. This would result in the use of unsustainable transport, and, as the effect of this would be ongoing, this would result in material harm that carries considerable weight in my deliberations
15. I therefore conclude that the site is not a suitable location for the development, having particular regard to local policy for tourism. This is because it would be contrary to the aims of Policies GEN01, GEN03, GEN05, EC07 and TR01 of the Local Plan.

¹ Council Ref: 3PL/2024/0369/F

Other Matter

Protected Sites

16. There is no dispute between the parties that the proposed development is within the Zone of Influence of Natura 2000 Designated Protected Sites (Protected Sites) covered by the Norfolk Green Infrastructure and Recreational Disturbance Avoidance and Mitigation Strategy (GIRAMS). The relevant Protected Sites in Norfolk comprise: Breckland SPA and Breckland SAC; The Broads SAC and Broads SPA; North Norfolk Coast SAC; North Norfolk Coast SPA; The Wash and North Norfolk Coast SAC; Norfolk Valley Fens SAC; The Wash SPA; The Wash Ramsar.
17. The effect on the Protected Sites is not a matter of dispute between the parties. However, the Habitats Regulations require the Competent Authority to consider whether or not the development could adversely affect the integrity of a protected site, either alone or in combination with other plans and projects. This responsibility falls to me in the context of this appeal.
18. Had I been minded to allow the appeal, it would have been necessary for me to undertake an Appropriate Assessment (AA). The AA is required on a case-by-case basis to determine whether or not the project would adversely affect the integrity of the Protected Site. It would also have required a consideration of whether or not any proposed mitigation would be adequate, effective, could be appropriately secured and delivered in a timely manner. However, as I am dismissing the appeal for other reasons, I do not need to consider the matter further as it would not change the outcome of this appeal and, whilst the issue of the effect of the development on Protected Sites remains unresolved, the outcome could only be, at best, neutral in my considerations.

Other Considerations and Planning Balance

19. The appellant has hosted visitors to the area in the accommodation, and these have reviewed the accommodation favourably. Whilst the existence of visitors may have demonstrated some demand for the accommodation provided, this is different to need and no evidence has been provided to demonstrate that there is unmet need for tourist accommodation in the area.
20. The National Planning Policy Framework seeks to support a prosperous rural economy, through, amongst other things, sustainable rural tourism. Whilst I have found that the proposal is not in a location that would encourage the use of more sustainable modes of transport, it would provide support to local shops and businesses in the wider area through increased patronage. However, this would be limited due to the small scale of the development. This is, nonetheless, a public benefit weighing in favour of the development.
21. The appellant identifies that, as the accommodation is located with their dwelling, it provides opportunities for them to meet people from different cultures and backgrounds and that this opportunity to learn about various cultures, cuisines, languages, and traditions from the guests enriches their personal life. They also identify that the development gives them the flexibility to choose when they want to rent the unit, thus allowing greater control over their time and improving their lifestyle. These, however, are personal benefits.

22. Thus, I find that the public benefits resulting from the development are small and are outweighed by the harm that I have found.

Conclusion

23. The development conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.

I A Dyer

INSPECTOR