



Appeal Decision

Site visit made on 2 December 2025

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 January 2026

Appeal Ref: APP/V2635/W/25/3374455

Land North of Stable Yard, Grassy Lane, Congham, Kings Lynn

- 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 Howlett against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref is 25/00610/O.
 - The development proposed is described as single self build/custom detached house.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline with all matters reserved for subsequent approval. The appeal is determined on that basis and, therefore, the plans submitted are taken into account for indicative purposes only.
3. My attention has been drawn to a previous appeal¹ at the site. Whilst this decision is a material consideration the proposal before me differs in terms of its position with the plot and was considered under a different development plan. In any event, I have reached my own conclusions in this appeal based on the circumstances of the present case.

Main Issues

4. The main issues are:
 - i) whether the site represents a suitable location for housing with particular regard to its countryside location and accessibility; and
 - ii) the effect of the proposal on the character and appearance of the area.

Reasons

Location

5. Policy LP01 of the King's Lynn and West Norfolk Local Plan 2021–2040 (LP) sets out the spatial strategy and settlement hierarchy. Congham is defined as a Tier 6 settlement which requires no further housing allocations up to 2040 due to sufficient commitments and completions. LP Policy LP02 (Windfall Sites) states that in Tier 6

¹ APP/V2635/W/15/3131787 issued 18 January 2016

locations sites should normally be confined to those located within the development boundary, or adjacent to it to protect smaller villages from over development and protecting character and distinctiveness.

6. The built extent of Congham is defined by the settlement boundaries drawn around the existing clusters of dwellings as defined on the Grimston, Pott Row, Roydon and Congham Neighbourhood Plan 2017–2036 (NP). As the site lies outside the settlement boundary, nor adjacent to it, and is therefore within the countryside, the proposal conflicts with the Council's spatial strategy and Policy 7 of the NP.
7. From the evidence before me access to the settlements and their services is limited. Grassy Lane is a narrow, unlit road with no pavement which would discourage pedestrians and cyclists from using it to access the nearby settlements, particularly in the hours of darkness and in periods of inclement weather.
8. It is not disputed that the existing equestrian use of the land generates vehicle movements. The Appellant submits that the proposal would reduce their need to travel to take care of their horses, thus resulting in environmental benefits through the reduction in carbon emissions. Whilst an on-site presence may reduce travel needs to some extent, in terms of tending to their animals, and carbon emissions, the future occupiers would be reliant upon private vehicle use to meet their basic day-to-day needs. Notwithstanding the Appellant's suggestion for the imposition of a condition tying the dwelling to the stables having regard to the distances involved, the limitations of the immediate rural roads and limited public transport the proposed development would not provide the opportunity to maximise the use of sustainable transport facilities, even when accepting that the site is in a rural location.
9. The Appellant advances that the appeal site, being located close to the B1153 which connects both Grimston and Hillington, is located much closer to amenities than any of the new dwellings that have been constructed in the past decade. I do not know the circumstances of other developments referred to. In any event, the appeal site is detached from these settlements, and I did not observe any footpaths connecting them.
10. The proposal has been presented as a self-build dwelling. The Appellant has highlighted the Council's responsibility under the Self-Build and Custom Housebuilding Act 2015 (the Act) to provide enough suitable permissions to meet identified demand for the borough. The need for self-build/custom housing is not disputed by the Council, with LP Policy LP31 supportive of self-build proposals. However, the proposal would not meet policy requirements insofar as it would not be on land allocated for self-build, nor would it respect local character (as discussed below). In any event, I have not been provided with a mechanism to ensure compliance with the provisions of the Act to provide certainty that the dwelling would be a self-build project.
11. For the reasons stated above, the proposal would not be an appropriate location for housing, with particular regard to its countryside location and accessibility. Accordingly, I find conflict with Policies LP01, LP02, LP13 and LP31 of the LP AND Policy 7 of the NP. Collectively, amongst other things, these policies seek to direct development to locations that enable sustainable journeys to be made to key services and facilities. It would also conflict with the National Planning Policy

Framework (the Framework) which seeks to promote sustainable development and protect the open countryside.

Character and appearance

12. The Appellant submits that the location of the proposed dwelling, to the north of the site, means that it would be viewed in the context of other dwellings at the junction between Grassy Lane and St. Andrew's Lane. The proposed development would encroach into a field and would be separated from existing properties located on St. Andrew's Lane, including those on the opposite side of the road. Accordingly, the appeal site does not adjoin the defined settlement boundary.
13. It is indicated that the proposed dwelling would be located to the north-west of the existing paddock and stables, set back from the highway and screened in part by the substantial boundary hedge.
14. Whilst the details are indicative only it is envisaged that the existing access, which serves the stables, would be utilised. This would result in a long driveway to serve the property. The design and external finish of the proposed dwelling and access, along with landscaping, could be secured at reserved matters. Nevertheless, the very presence of development, and the domestication of the plot would give rise to a suburban appearance, contrary to the character and appearance of the site and wider rural landscape. This in turn would have a harmful impact on the intrinsic character and beauty of the countryside.
15. While the use of some of the adjacent land may be equestrian rather than agricultural, this use is in keeping with the rural landscape. The introduction of a residential use would erode the contribution the appeal site makes to the rural character and appearance of the area.
16. For these reasons, I conclude that the proposed development would harm the character and appearance of the area. This draws the proposal into conflict with Policies LP02 and LP31 of the LP and NP Policy 7 insofar as they require proposals to respect local character. The development would also conflict with the Framework which requires development to contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Other Matters

17. The provision of one additional dwelling weighs in favour of the proposal and would make a contribution, albeit small, to the Government's objective of significantly boosting the supply of new homes.
18. The need for custom and self-build housing within the borough is not disputed. Even if the proposal was occupied as a self-build, the contribution to the overall demand for such housing would be limited. I therefore attach limited weight to this matter as a benefit of the proposal.
19. The proposal would give rise to some economic benefits during the construction phase and provide support to local services from future occupiers. Given the small scale of the proposed development the weight afforded to these benefits is limited.
20. In their statement of case the Appellant refers to the proposal being a response to the medical needs of the Appellant and that it would be adapted to their needs

allowing them to stay within the family home. However, I have not been provided with evidence that the personal circumstances of the Appellant would be enough to outweigh the harm associated with the location of the development and the character and appearance of the area.

21. The Appellant advances that the proposal would provide for improvements for security of the site by introducing natural surveillance and a quick response from the house to the yard. Whilst I understand the Appellant's desire to live as close as possible to their horses I have not been provided with compelling evidence that this requires an on-site presence at all times, and that the need could not be met through other measures, including off-site monitoring. Moreover, the proposal has not been advanced as a rural worker dwelling and therefore Policy 36 of the LP has not been germane to the consideration of the proposal.
22. Interested parties have raised a number of concerns, although they did not form part of the Council's reason for refusal. As I am dismissing the appeal there is no need for me to consider these matters further.
23. The support for the proposal is noted. However, this is a neutral matter.

Conclusion

24. Section 38(6) of the Planning and Compulsory Purchase Act states that a decision must be taken in accordance with the development plan, unless material considerations indicate otherwise. There are no other considerations, including the Framework, that would outweigh the harm and conflict with the development plan that I have identified.
25. For the reasons given above I, therefore, conclude that the appeal should be dismissed.

R. Gee

INSPECTOR