
Appeal Decision

Hearing held on 12 November 2025

Site visit made on 12 November 2025

by **S Rawle BA (Hons) Dip TP Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 29 January 2026

Appeal Ref: APP/Y2620/W/25/3370351

Sharrington Strawberries, Holt Road, Sharrington, Norfolk NR24 2PH

- 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 Simon Turner against the decision of North Norfolk District Council.
 - The application Ref is PF/24/1479.
 - The development proposed is a change of use of agricultural barn to mixed Class E.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Following the close of the Hearing, the North Norfolk Local Plan 2024-2040, December 2025 (NNLP) was adopted. This is clearly a material planning consideration and although the emerging plan policies were discussed at the Hearing, I gave the main parties the opportunity to provide any further comments following adoption. I have taken account of any comments received in the determination of the appeal.
3. It follows that the development plan policies referenced in the Council's decision notice are no longer relevant and I have determined the appeal on the basis of the recently adopted policies.
4. At the Hearing, the appellant confirmed that they intended to submit a unilateral undertaking (UU) in an attempt to make it clear that the appeal site would be linked to the land where "home grown" produce would be grown which would be sold at the proposed development. As I considered this was material to my assessment of the case, I used my discretion and set a deadline for the appellant to submit the UU and I have taken account of this document in the determination of the appeal.
5. At the Hearing, the highway authority raised the possibility that if I was minded to allow the appeal whether the appellant would be willing to undertake some highway works which they considered would improve highway safety which they said could be secured by condition. As agreed, the highway authority subsequently suggested some proposed works and associated conditions. To my mind such amendments at this late stage on some land outside the control of the appellant may have failed the substantive and the procedural tests I would need to consider before accepting such material changes to the scheme. However, in any event, the appellant responded to say that the proposals were unacceptable as they considered them too onerous even if they could practically be implemented. Given that the appellant

was unwilling to incorporate the highway authority's proposals as part of the scheme, I have not taken account of them in the determination of the appeal.

6. For the avoidance of doubt, I have used the description of development included on the application form rather than on the Council's refusal notice.

Main Issues

7. The main issues are;

- Whether or not the appeal site would represent an appropriate location for the proposed Class E use within the countryside; and
- The effect of the proposal on highway safety.

Reasons

Whether or not an appropriate location

8. The appeal site and the wider area known as the Sharrington Strawberry site has historically been used for agricultural purposes. In early 2022 the Council confirmed under the prior notification process that no further approval details were required for the erection of an agricultural building to support these operations. Strawberries were planted on the site and the building was used for storing agricultural equipment, packing materials and related supplies in support of the existing agricultural use. Due to a surplus of the strawberry crop the farm introduced a pick your own (PYO) initiative which proved successful. The appellant decided to plant raspberries and utilise the appeal site and the wider Sharrington Strawberry site for PYO.
9. As a result of this operational shift, the appellant highlights that the need for on site machinery storage and packing materials decreased rendering the agricultural building underutilised. I have no reason to disagree with that assessment.
10. The proposal would involve a change of use from the existing agricultural building to a mixed Class E use. As explained by the appellant the aim is to provide flexibility throughout the building to help ensure the proposal is economically viable. They go on to highlight that if any units become empty then it is important units are returned to beneficial employment generating units as swiftly as possible. They set out that the proposed use of the building would include a farm shop/flowerist, butchery, fishmonger, fresh deli counter, café/restaurant and kitchen, a store, and toilets.
11. The appeal site is not located within a selected settlement or located immediately adjacent to a defined settlement boundary. Policy SS1 of the NNLP sets out the District's spatial strategy and clarifies that the appeal site would be designated as a Countryside Policy Area where development will be limited to those types allowed for in Policy SS2 of the NNLP.
12. Policy SS2 of the NNLP sets out the type of development that will be granted, subject to complying with the policies of the NNLP and includes the use and development of land associated with agriculture or forestry and the re-use of buildings.
13. Policy E3 of the NNLP deals with employment development outside of employment areas and among other things sets out that new employment development will be

permitted where it can be demonstrated that there are specific reasons for the development not being located on a designated or allocated employment area including the expansion of an existing business, businesses that are based on agriculture where there are sustainability advantages to being located in close proximity to the market they serve and that the development would not adversely affect highway safety. However, the explanatory text of this policy is clear in that employment development means those types of uses typically located on industrial estates and excludes retail and tourism which are subject to separate policies in the NNLP.

14. Although the explanatory text does not have the same force as the policy itself, to my mind, given the nature of the proposal and the type of uses proposed such development would not typically be located on an industrial estate. My view is supported by the appellant who sets out that the type of facility proposed cannot be located anywhere other than on a farm. Moreover, there is a significant retail element which the explanatory text highlights is specifically excluded from the remit of Policy E3 of the NNLP.
15. Consequently, Policy E4 of the NNLP would appear more relevant. This sets out that in the Countryside Policy Area, proposals for small scale specialist retail services will be supported in principle only where it can be demonstrated that the proposal is to perform a wholly ancillary role to an existing or planned use and is on an appropriate and proportionate small scale.
16. As outlined above, Policy SS2 of the NNLP includes the re-use of existing buildings as a category of development that may be appropriate in the countryside. Policy HOU7 of the NNLP deals with the re-use of rural buildings in the countryside. This sets out that the change of use and conversion of existing buildings in the Countryside Policy Area to residential and commercial uses will be permitted provided certain criteria are met including that the buildings have not been erected or altered in the preceding ten years for another purpose.
17. The appellant considers that Policy HOU7 is not relevant to the proposed development as it is a housing policy and that mention of commercial within this context means commercial residential and not the proposed use. They say that the similarity with the restrictions under Schedule 2 Part 3 Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 supports their view that this restriction relates to residential use and not the type of commercial use proposed here. However, I do not agree with this analysis.
18. The explanatory text sets out that the re-use of buildings for a range of uses offers the potential to support the sustainability of rural communities. That clearly envisages other uses in addition to residential uses. Moreover, and importantly I have read the relevant policy in a straightforward way. To my mind if it had been intended to restrict the application of the policy to residential and commercial residential uses it would have said so particularly as I am not aware of a commercial residential category. Rather, I interpret the policy as applying to residential and commercial uses as specified and that includes the proposed development which includes commercial uses that fall within Class E.
19. So, bringing things together, for this particular proposal to accord with the relevant development plan policies the existing building, which it is intended to re-use would not have been erected in the preceding ten years for another purpose, and the

proposal would need to perform a wholly ancillary role to the existing agricultural use on an appropriate and proportionate small scale. Moreover, it would also need to comply with other development plan policies including Policy CC9 of the NNLP which seeks to ensure that the proposal would be served by safe and suitable access to the highway network and that it would not involve direct access onto a principal route unless the type of development requires a principal route location.

20. I turn first to consider whether the proposed use would be wholly ancillary to the existing use. The National Planning Policy Framework (the Framework) supports the development and diversification of agricultural and other land-based rural businesses.
21. The appellant indicates that approximately 35% of produce sold at the proposed development would be from the farm with around 25% of meat being sourced from the farm, including game and venison. The balance of produce would be sourced within a 35-mile radius.
22. I have also taken account of the UU which ensures that the proposed farm shop would be operated in accordance with the wider farming enterprise. The Council expressed some reservations that the UU did not prevent the proposed building being sold separately from the main farm holding and it did not include a clause requiring monitoring and enforcement. However, the UU would bind the land and would apply to successors in title and subject to the imposition of an appropriate condition in relation to the source of the goods to be sold in the building and in relation to monitoring and enforcement of that condition, I am satisfied that the UU would provide an effective link between the proposed development and the wider farm enterprise.
23. Overall, I consider that the proposed use of the building comprising 35% of produce from the farm itself and the balance from within a 35-mile radius would represent a use that would be associated with agriculture and would be wholly ancillary to the existing agricultural use of the entire farming enterprise. That is to say, the primary use of the farming enterprise would remain in agriculture use and the proposed development would be wholly ancillary to that primary use. That is because I am satisfied a condition could be imposed to ensure that the goods sold at the appeal site would be produced by the agricultural activities carried out on the existing farm or produced by other agricultural businesses within a defined geographical area.
24. In reaching that view I have taken account of the fact that the appellant has indicated that the aim is to provide flexibility throughout the building meaning that individual businesses can adapt or interchange for a range of appropriate uses.
25. While I acknowledge the point the appellant makes about flexibility, on the face of it the appellant could be seeking flexibility to introduce any use that falls within Class E, which inevitably may include uses that would not be wholly ancillary to the existing use. However, I also note that the agreed suggested conditions include a use class condition which would restrict the proposed development to be used only as a café and farm shop and for no other use falling within Use Class E. As the reason given for the suggested condition is to avoid the creation of an unrestricted Class E use and the appellant has agreed to the imposition of such a condition, I am satisfied that the proposal would be restricted to appropriate uses that would be wholly ancillary to the existing agricultural use. Further, given the scale of the proposed development relative to the existing farm I am satisfied that the proposed

development would be of an appropriate and proportionate small scale. Consequently, the proposal accords with Policy E4 of the NNLP.

26. Whether or not the proposal would have an impact on highway safety is discussed further below. However, I recognise that sites to meet local business needs in rural areas have to be found beyond existing settlements that are not well served by public transport where the opportunities to maximise sustainable transport solutions will vary in comparison to an urban area.
27. It follows that as the proposal would enable the development and diversification of a rural agricultural business, notwithstanding that it is not proposed to provide a footpath or off road cycle facilities along the A148 and so the vast majority of trips to and from the appeal site would be by private car, given the particular circumstances that does not weigh against the proposed development.
28. However, that is not the end of the matter. To accord with the relevant development plan policies the change of use and conversion of the existing building should only be permitted provided that it has not been erected or altered in the preceding ten years for another purpose. It is common ground between the main parties that the existing building has been erected in the preceding ten years for another purpose. Consequently, the proposal conflicts with Policy HOU7 of the NNLP. However, given my finding that the existing building has become underutilised due to an operational shift this tempers the weight I afford this conflict with policy.
29. That said, for the reasons set out in more detail below, the proposed development would not be served by a safe and suitable access to the highway network and would involve direct access onto a principal route where the type of development does not require a principal route location. I would also add that even if I had been satisfied that Policy E3 of the NNLP was directly relevant to this case, the proposal would not have accorded with this policy as it would not have met the requirement that development would not adversely affect highway safety. It follows that relevant development plan policies do not support the proposed development on the appeal site.
30. I therefore conclude that although the proposal would accord with Policy E4 of the NNLP overall the appeal site would not represent an appropriate location for the proposed Class E use within the countryside. Consequently, the proposed development would be at odds with Policies SS2 and HOU7 of the NNLP as summarised above. However, given the particular circumstances involved here, particularly as the proposal would accord with Policy E4 and due to the fact that the existing building has become underutilised due to an operational shift in the farming operation, I afford this issue moderate negative weight.

Highway Safety

31. The appeal site is located close to the hamlet of Sharrington. Access to the site is from the rear of an existing lay-by along the A148 which in this location is designated a Category 2B principal primary route within the road hierarchy. The primary purpose of this designation is to carry traffic between major centres and they also form links to the trunk road network. The A148 links the town of King's Lynn and the A47 trunk road to the south-west with the coastal town of Cromer to the north-east. In Norfolk the principal road network routes are designated "corridors of movement".

32. The A148 in this location is subject to the national speed limit. I observed at the site visit that due to the straight alignment of the road adjacent to the appeal site vehicles travel at speed and I saw overtaking manoeuvres being undertaken. My observations were consistent with the evidence I heard at the hearing about the speed of traffic travelling along the A148.
33. As part of the existing enterprise there is a kiosk/shop that sells fruit and vegetables and other produce which was granted planning permission in 2021. The appellant has submitted a highways and transport statement of case (H&TSoc) that indicates that the current use, including the shop and the PYO generates about 75 vehicle trips daily with the majority being generated between late March and September. The H&TSoc estimates that the proposed development would generate about 111 two-way trips on an average weekday and 254 two-way trips on a weekend, with a large proportion being linked trips. The busiest period is estimated to be at the weekend between 1100-1200 where 26 arrivals and 22 departures have been predicted.
34. I accept that the A148 would have the capacity to accommodate the additional traffic generated and that visibility in both directions and the actual width and design of the proposed access on the appeal site would be acceptable. Similarly, the parking arrangement would be suitable. Given the nature and scale of the proposed development and the fact that it is intended to be a diversification of an existing farm enterprise, the fact that the proposal would not provide off site facilities such as footways to link the appeal site with existing provision and/or local services does not weigh against the proposed development.
35. However, the proposed development would have direct access onto a principal route. Policy CC9 of the NNLP sets out that outside of designated settlement boundaries a proposal should not involve direct access onto such a route unless the type of development requires such a location. The explanatory text in support of the policy highlights that a type of development that may requires such a location would include a roadside service station. To my mind, the proposal does not require a principal route location and is at odds with the relevant policy.
36. Moreover, the proposed intensification at the appeal site would result in a material intensification of the use of the existing access onto the A148. I note that the existing access form is a priority T-junction which is in line with guidance set out in the Design Manual for Roads and Bridges. I also accept that there is already a degree of conflict and interference to the passage of vehicles travelling along this corridor of movement because of the existing use. However, the proposal would undoubtedly exacerbate that conflict.
37. There would be a material increase in slowing, stopping and turning movements associated with the proposal. This would increase interference to the free flow of traffic on this principal primary route. The appeal site is close to the Norfolk coast where there will be a marked increase in tourist related vehicles using the A148 especially during the summer months which would likely coincide with the busiest period for the existing and proposed use of the appeal site.
38. Drivers using the A148, particularly tourists who do not use it regularly, would not expect to encounter slowing, stopping and turning movements outside of the built-up areas and at recognised highway junctions. The most problematic manoeuvre would be vehicles turning right across on-coming traffic when travelling along the

A148 in a south-west direction. Particularly during busy periods this may result in vehicles having to stop in the carriageway before entering the appeal site.

39. I note that the appellant indicates that the delay to vehicles on the A148 due to vehicles turning right into the site would not be significant as they would be under 5 seconds. I have taken account of the fact that the assessment represents a worst-case scenario, and the delay would be lower than that for much of the day. However, I nevertheless consider that the proposal would result in an unacceptable level of delay which would also involve vehicles behind the vehicle waiting to turn right to enter the site having to slow and stop on the carriageway. Such a situation would have an unacceptable impact on highway safety.
40. Moreover, I note that there have been some personal injury accidents within 300m of the appeal site and based on the information provided by the highway authority and local residents at the hearing, there have also been some damage only collisions on this stretch of road. Although given the available evidence the information about accidents is not conclusive on this issue, they nevertheless do add support to the strong feelings of local residents that there are existing highway safety issues with this stretch of the A148.
41. In relation to the existing situation, as outlined above there is already a degree of conflict caused by the existing situation. There is some erosion of the verge opposite the appeal site. The appellant indicated that this could be caused by farm vehicles. However, I consider it more likely that this indicates that some vehicles pass stopped vehicles waiting to turn into the appeal site by using the existing verge. This signifies that there is already a highway safety issue at this junction, and the proposed development would exacerbate the situation.
42. I therefore conclude that the proposed development would have an unacceptable impact on highway safety and I afford this issue considerable weight. Consequently, the proposal would conflict with Policy CC9 of the NNLP which among other things seeks to ensure that development proposals provide for safe and suitable access to the highway network and that outside designated settlement boundaries a proposal does not involve direct access onto a principal route unless the type of development requires a principal route location.

Other Matters

43. As outlined above, the Framework supports the development and diversification of agricultural and other land-based rural businesses. I am satisfied that the proposal would provide an ongoing contribution to sustaining the existing agricultural enterprise which makes an important contribution to the local economy and would create up to 12 new jobs. I am also satisfied that the appellant has provided a reasonable business case in support of the proposal which demonstrates that it would have a payback period of just over 3 years. I afford these matters combined with other associated benefits including increased community engagement, the introduction of a monthly farmers market, the creation of partnerships with other local producers, facilitating and enhancing tourism, the provision of an integrated facility and assisting with seasonality of production significant weight in the determination of the appeal.
44. I have also taken account of the other developments that have been brought to my attention, including Meadows Farm Shop, Fakenham Road, Groveland Farm Shop, Thorpe Market Road and Creak Abbey Courtyard Shops and Services, Burnham

Road. The appellant points out that these developments have limited sustainable travel options and do not have access to footways. However, for the reasons set out above these matters do not weigh against the proposal.

45. I have also taken account of the Jarrolds development at Breck Farm (formerly Back to the Garden) which does have direct access onto the A148, and I visited this site as part of my site visit. This development was originally granted planning permission some considerable time ago in 2005 and involved the re-use of a historic agricultural building and the alignment of the A148 along this stretch of the road is not identical to the stretch of road adjacent to the appeal site. As a result, the circumstances are materially different from the appeal before me. I note there have been some more recent approvals on that site which have been brought to my attention, and the appellant points out that the highway authority did not object on highway safety grounds. However, the highway authority confirmed that as the later schemes would not result in a material increase in vehicle movements, they did not object to the latest proposals.
46. As a result, the circumstances and the ingredients of any planning balance undertaken are materially different to the proposal before me, and this limits the weight of this and other developments that have been brought to my attention as material considerations. In any event, the existence of these other developments does not justify this proposal which I have found would have an unacceptable impact on highway safety and would be at odds with other development plan policies.

Planning Balance and Conclusion

47. I have afforded some matters weight as outlined above and overall, I afford the totality of the benefits significant weight in the determination of the appeal. On the other hand, I afford moderate weight to the fact that the appeal site would not represent an appropriate location for the proposed Class E use within the countryside and considerable weight to the fact the proposal would have an unacceptable impact on highway safety. Consequently, any benefits associated with the proposal are outweighed by the harm.
48. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.¹
49. In this case, the proposal conflicts with the development plan when considered as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal should therefore be dismissed.

S Rawle

INSPECTOR

¹ Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990

APPEARANCES

For the Appellant:

Angus Bridges BSc (Hons)	Agent for the appellant
Roland Thomas MRICS	Agent for the appellant
James Corbett MCIHT	Highway consultant for the appellant
Simon Turner	Appellant
Aurelija Tarta	Finance adviser for the appellant

For the Council

Phillip Rowson	North Norfolk District Council
Jamie Smith	North Norfolk District Council
David Wilson BSc (Hons) MIHE	Norfolk County Council - Highways

Interested Parties

Andrew Brown	Cllr North Norfolk District Council - Planning & Enforcement Portfolio Holder
Deborah Hyslop	Chair Brinton & Sharrington Parish Council
Stevie Gray	Brinton & Sharrington Parish Council
Robin Hyslop	Local Resident
Keith Parks	Local Resident
Derek Harris	Local Resident
Ann Abrams	Local Resident
David Wiles	Local Resident

DOCUMENTS – submitted at the Hearing

1. Copy of highway authority's comment in relation to development at Breck Farm
2. Confirmation from the appellant in relation to pre-commencement conditions

DOCUMENTS – submitted after the Hearing

1. Executed Unilateral Undertaking
2. Suggested conditions in relation to highway works from the highway authority
3. Response to suggested conditions in relation to highway works from the appellant.

4. Additional response from the highway authority in relation to proposed highway works.