



Appeal Decision

Hearing held on 24 February 2026

Site visit made on 24 February 2026

by Elizabeth Pleasant BSc (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th March 2026

Appeal Ref: APP/F3545/C/25/3374713

Land Adjacent to Duke of Marlborough, Bury Road, Hepworth, Suffolk IP22 2PX

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr Walter Elliot-Smith against an enforcement notice issued by West Suffolk Council.
- The notice was issued on 3 October 2025.
- The breach of planning control as alleged in the notice is: Without planning permission, the change of use of land for the siting of one static home and one touring caravan for residential use, inclusion of a storage container and shed building and the installation of hardstanding.
- The requirements of the notice are to:
 1. Cease the residential use of the land.
 2. Remove all items and articles that were brought onto the land to facilitate the residential use including all caravans, the static home, touring caravan, all storage/shipping containers, the shed building and all other domestic paraphernalia.
 3. Remove all hardstanding installed and revert the land back to its condition prior to the development commencing.
- The periods for compliance with the requirements are:
 - Step 1. 6 months.
 - Step 2. & Step 3. 12 months.
- The appeal is proceeding on the grounds set out in section 174(2)(a) and (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Summary of Decision: The appeal is allowed, the enforcement notice is quashed and planning permission is granted in the terms set out in the Formal Decision.

Application for costs

1. An application for costs has been made by Mr Walter Elliot-Smith against West Suffolk Council. This application is the subject of a separate decision.

Procedural Matters

2. In preparation for the Hearing, it became apparent that the Council had not notified the owners/occupiers of neighbouring land or interested parties of the arrangements for the Hearing as required by guidance set out in the Procedural Guide: Enforcement notice appeals – England. It is understood that the Ward Councillor and Parish Council had been belatedly made aware of the Hearing arrangements, but not neighbouring occupiers who had been notified when the appeal was made. Whilst no representations had been received from neighbouring residents/occupiers in response to the original appeal notification, in the interests of fairness, I asked the Council to write again to those interested parties advising them that a Hearing had taken place and inviting them to make representations. I kept the Hearing open until that notification period had expired and I closed the Hearing in writing on 16 March 2026.

Enforcement Notice

3. The breach of planning control alleged in the notice is, *“Without planning permission, the change of use of the land.....”*. Having regard to the meaning of “development” set out in Section 55(1) of the Town and Country Planning Act 1990, as amended (the Act), the main parties agreed at the Hearing, that in the interests of precision, I should correct the notice by inserting the word “material” before the phrase “change of use” in the allegation.

Main Issues

4. The Council stated in their enforcement notice that the reason for issuing the notice related to conflict with the development plan, stating *“Whilst the proposal would contribute to an additional home within the district, there is no legal agreement in place to ensure that it would come forward as a self-build to contribute to the West Suffolk Council Self-Build and Custom House Building Register and the district has a 5-year housing land supply.”*
5. However, the appeal site is being occupied by a Gypsy family, and the local planning authority (LPA) acknowledged in their Statement of Case (SOC) that the unauthorised development is a residential caravan site with a single pitch for a Gypsy/traveller family. The SOC set out the LPAs further concerns which included whether the site is in a suitable location for Gypsy and traveller use; harm to the character and appearance of the area; concerns over highway safety; and potential harm to ecology and loss of biodiversity.
6. During the Hearing the LPA also advised that the site would have an impact on “The Brecks” (Breckland Special Area of Conservation (SAC) /Breckland Special Protection Area (SPA)). Until the Hearing the appellant had been unaware of the site’s potential impact on The Brecks through increased recreational pressure. However, Mr McKay, on behalf of the appellant, advised that he would be able to address the issue at the Hearing and so has not been prejudiced.
7. Having regard to the issues raised by the Council in their SOC and at the Hearing the main issues are:
 - whether the site is a suitable location for a Gypsy and traveller site having regard to the local and national planning policy concerning sustainable development and the accessibility of the site to local services;
 - the effect of the development on the character and appearance of the area;
 - the effect of the development on The Brecks (Breckland SAC/Breckland SPA);
 - the effect of the development on highway safety, having regard to visibility at the site access; and
 - the effect of the development on ecology and biodiversity.

Another matter is intentionally unauthorised development and the weight to be attached to that.

8. Other considerations, potentially weighing in favour of the development, include the need and supply of Gypsy and traveller sites, the availability (or lack) of

alternative accommodation for the occupiers of the site and their other personal circumstances, including the best interests of the children.

9. Integral to my decision-making will be exercising duties under the Human Rights Act 1998. Article 8, a Convention Right¹ (ECHR), affords a person the right for their private and family life, their home and their correspondence. It is a qualified right that requires a balance between the rights of the individual and the needs of the wider community. In applying Article 8 there is a positive obligation to facilitate the Gypsy way of life to the extent that the vulnerable position of Gypsies as a minority group means that some special considerations should be given to their needs and the different lifestyles in the regulatory planning framework and in reaching decisions on particular cases. Under the Equality Act 2010, I will have regard to the public sector equality duty (PSED).

Reasons

Suitable Location

10. Policy SP19 of West Suffolk Local Plan, adopted 2025 (WSLP) advises that proposals for Gypsy and Traveller sites will be supported where there is an identified need that cannot be met on existing sites and having regard to a number of criteria. The Council accepted at the Hearing that in the absence of any existing alternative sites being available to the appellant and his family, there was an identified need and thus the proposal should be assessed against the criteria set out in Policy SP19.
11. Policy SP19 (a) advises that sites for Gypsy and Travellers should be within or adjacent to a settlement identified as more sustainable within the settlement hierarchy (towns, key service centres, local service centres and type A villages) or other sustainable locations. Policy SP19 (b) advises that regard should be had to accessibility to local services, including schools, shops, community and health facilities, by a variety of means of transport.
12. Paragraph 26 of the Planning policy for traveller sites (PPTS) advises that LPAs should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Paragraph 13 of the PPTS seeks to promote access to health services and schools and to provide for settled bases to reduce the need for long-distance travel. That said, it seems to me that there needs to be both a spatial and functional relationship between the site and nearest settlement. I am also mindful that paragraph 110 of the National Planning Policy Framework (NPPF) acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be considered in both plan making and decision making.
13. The appeal site is located at the junction of The Street and Bury Road (A143) and forms part of a cluster of dwellings, including four dwellings within the recently converted Duke of Marlborough Public House. It is located approximately 600 metres to the south of Hepworth, which is a Type B village, with a church, community/village hall and outdoor recreational space. The site also lies approximately one kilometre to the east of Stanton, a Key Service Centre, where

¹ Article 8 of the European Convention on Human Rights, enshrined into UK law by the Human Rights Act 1998.

there are a broad range of services and facilities, including a convenience store, a public house, health centre, primary school and takeaway restaurants.

14. It is not disputed that the appeal site does not lie within or adjacent to a settlement identified as more sustainable within the settlement hierarchy. However, it is the appellant's case that considering the location of the bus stop on adjoining Bury Road, which provides a regular bus service to Stanton and the neighbouring towns of Diss and Bury St Edmunds, then having regard to paragraph 13 of the PPTS, the appeal site represents an appropriate and sustainable location for a Gypsy and traveller site.
15. The appeal site lies in the open countryside. However, it is not in an isolated location and is well related to the cluster of existing dwellings lying both immediately to the west of the appeal site, and opposite on Bury Road. It is accepted that due to the absence of footways and street lighting, walking to the nearest settlements of Stanton and Hepworth is not an option, albeit cycling would be an alternative transport mode. The distance to Stanton, which has a range of services, is not far and there is a bus stop adjacent to the site which I was told currently provides a regular service to Stanton and the larger towns of Diss and Bury St Edmunds. I acknowledge that Bury Road is a busy road, however, that would not preclude the appellant and his family making a journey by bus, which would be an alternative means of transport to the use of the private car.
16. Furthermore, the PPTS recognises that Gypsy and travellers do not have the same sustainability requirements as would be required for housing for the settled population. The nomadic lifestyle of Gypsies and travellers involves the use of the private vehicle irrespective of location, and thus whilst travelling, the same opportunities for using public transport do not apply and this is particularly important when considering the context of Gypsy and traveller sites which are often by necessity in rural locations. In this case, the appellant is a landscape gardener and is thus reliant on his private vehicle to travel for his work. The site is well located in respect of the strategic road network and the distance to the nearest service centre of Stanton is relatively short. There is a community/village hall and a recreation ground in Hepworth, both of which would provide opportunities for integration into the local community. The provision of a settled base could limit journeys to work, whilst it will also enable access to health and education for the appellant and his family in line with PPTS paragraphs 4 and 13.
17. I conclude, for the reasons set out above, and having regard to the sustainability requirements of Gypsies and travellers, the appeal site lies in a sustainable location. There are also opportunities to access local services and facilities by public transport and to cycle. I therefore find no conflict with criteria (a) or (b) of Policy SP19 of WSLP, paragraph 13 or 26 of the PPTS and paragraph 110 of the NPPF, the aims of which are set out above. I also find no conflict with Policy LP41 of WSLP as access to public transport is available and there are opportunities for cycling. Safe cycle storage on the site could be secured by a condition.

Character and appearance

18. The appeal site lies within an area of countryside and forms part of a cluster of dwellings on Bury Road at its junction with The Street. The site is rectangular in shape and bounded by mature trees and hedgerows. A static caravan has been sited centrally within the site, adjacent to which there is a small shed used to

accommodate a toilet and washing machine. The western third of the site has been laid to hardstanding for the parking of vehicles, including a touring caravan. A container has also been placed on the hardstanding in the northwestern corner of the site and this provides secure storage for the appellant's work tools and other domestic items. A new vehicle access with driveway has been created from The Street, with the remainder of the site laid to grass with fruit trees. The appellant has erected a close boarded fence around the perimeter of the site and timber gates at the site entrance.

19. The NPPF recognises the intrinsic character and beauty of the countryside, and thus the impact of the development on its character and appearance is a relevant consideration in the context of the NPPF. However, the NPPF and the PPTS do not establish an objection in principle to Gypsy and traveller development in rural areas. Policy SP19 of the WSLP sets out how the Council will make provision for pitches to meet the needs of the travelling community, including how it seeks to achieve a five-year housing land supply. When considering new sites Policy SP19 advises that consideration should be given to the proposals impact on landscape and settlement character, the natural environment, and heritage. Appropriate landscaping and screening is required to provide privacy for occupiers and to maintain the visual amenity of the wider landscape and townscape.
20. The appearance of the surrounding area is rural and generally characterised by fields and lanes bounded by hedgerows and occasional trees. There is sporadic development along Bury Road and a cluster of dwellings adjacent to the appeal site, including a new bungalow and the recently converted Public House. Those neighbouring residential properties are conspicuous on Bury Road and the new bungalow has robust new boundary walls and fencing along its frontage.
21. It is well established that in practice and reality the development of a site as a residential caravan site for the Gypsy and traveller community will, by its very nature, have some urbanising impact on the appearance of the countryside. However, it is the Council's view that the development has a harmful impact on the open countryside and the caravan with associated development, including the boundary fencing, erode and adversely urbanise the rural character of the site to the extent that it is materially harmful.
22. The single pitch, comprising a maximum of two caravans, is at the smallest scale of traveller provision. The single storey nature of the development ensures that it is not visually conspicuous from long range views and is well screened from the surrounding area by fencing and mature trees/hedgerows. The laying of hardstanding with vehicles parked on it, the static mobile home and container result in some encroachment of development into the countryside. However, the development is not isolated, it is well related to existing built development on Bury Road. In addition, although the boundary fencing that has been erected is generally seen as a more urban feature, it has been constructed behind the existing mature hedgerows which surround the site and consequently it is not a visually dominant feature when travelling south along The Street. The fence has also been constructed at a lower level than the pavement along Bury Road, such that the adjoining hedgerow provides some screening of it in this location. Furthermore, the fence does not appear visually incongruous when viewed in the context of the existing boundary treatments to the neighbouring development on Bury Road and additional planting could also be provided as part of a landscaping scheme to further assimilate the development into the locality.

23. For the reasons given above, taking into account local and national planning policies, and subject to additional landscape planting, I find that any harm to the character or appearance of the area is not significant. There is no material conflict with criteria (e), (g), (h) and (i) of Policy SP19 and Policy LP9 of WSLP which seek to ensure that new Gypsy and traveller sites respect the natural environment, landscape character and ensure good design. I also find no conflict with the provisions of the NPPF or PPTS.

Breckland Special Area of Conservation (SAC) and Special Protection Area (SPA) - Appropriate Assessment

24. The SPA aims to conserve its ecological integrity and the habitat species within its boundaries. Its qualifying features include Stone Curlew, Nightjar and Woodlark. The conservation objectives are to seek to ensure that levels of bird disturbance are not increased.
25. The SAC comprises a mosaic of heath and grassland habitats with qualifying features including inland dunes, natural eutrophic lakes, dry heaths, calcareous grassland, wet woodland and great crested newts. The conservation objectives are to ensure that the ecological integrity of these habitats is maintained or restored, ensuring protection of rare plants and invertebrates, as well as the habitats that support them.
26. The unauthorised development is within the identified Zone of Influence for European Sites covered by The Breckland SPA and SAC². The existing and any future occupants of the site would be likely to use “The Brecks” for recreation, thereby increasing visitor pressure on the protected habitats, leading to potential harm. I therefore consider that the effects of the development, both on its own and in combination with other development projects, is such that they are likely to have significant effects on the integrity of these habitats. In such circumstances, Regulation 63(1) of the Conservation of Habitats and Species Regulations (the Habitats Regulations) indicate the requirement for an Appropriate Assessment (AA). As the competent Authority, I have therefore undertaken an AA.
27. Various mitigation measures in response to pressures on the habitats that I have identified above are set out in the West Suffolk Recreational Disturbance Avoidance and Mitigation Study, Footprint Ecology, June 2025 (MS). The measures include provision of information and education, restricting access and encourage visitors to stick to well defined routes, keeping dogs on leads and to prevent escalation of off road-vehicles. It is a comprehensive suite of mitigation measures. Funding for those measures is calculated, and a per dwelling averaged cost provided. I am satisfied that the mitigation payments are required to avoid adverse effect on the integrity of the European sites. The specified mitigations are agreed with Natural England and set out in the MS.
28. The MS advises that applicants can make a payment to the Council upfront as a direct payment and the Council confirmed at the Hearing that this was an appropriate method of securing the financial contribution towards the adopted mitigation measures. The appellant advised at the Hearing that they would be willing to make the requisite direct payment, and the Council has subsequently confirmed that this payment has been received. The payment will ensure that there are no likely significant effects on the European sites. Therefore, the

² West Suffolk Recreational Disturbance Avoidance and Mitigation Study. Footprint Ecology, June 2025.

integrity of the European sites would not be adversely affected, and the proposal would comply with Policy SP11 of the WSLP and the MS in this respect and comply with the Habitats Regulations.

Highway Safety

29. Policy SP19 (c) advises that proposals for new Gypsy and traveller sites should be suitable in terms of vehicular and pedestrian access to the highway, parking, turning and road safety. Albeit not a reason for issuing the enforcement notice, the Council expressed concern in their SOC that the appellant had not demonstrated that adequate visibility splays could be achieved to the new entrance and access to the site from The Street.
30. The appellant subsequently provided a plan indicating that a 2m x 60m visibility splay could be achieved at the access in a southern direction and 2m x 75m could be achieved in a northern direction. Suffolk County Council has subsequently advised that they do not raise objections to the development subject to the imposition of a condition to secure those visibility splays³. Additional conditions are also recommended to secure on-site parking, drainage, an electric vehicle charging point and cycle storage.
31. For the reasons set out above, the development would not result in any harm to highway safety and there is no conflict with Policy SP19 (c), the aims of which are set out above.

Ecology/Biodiversity

32. Policy SP9 and LP13 of WSLP are consistent with Section 15 of the NPPF and seek to ensure protection, management and enhancement of the natural environment. Development proposals should seek to protect sites designated for their biodiversity and geodiversity value, and conserve, restore and enhance important habitats. Policy LP13 requires all planning applications to be supported by appropriate protected species surveys and an ecological impact assessment.
33. The appeal site comprises grassland bounded by hedgerows with the occasional hedgerow tree. The deemed application is not resultant of a planning application and thus a Preliminary Ecological Assessment has not been carried out, and the baseline condition of the grassland and hedgerow is unknown. The LPA confirm that the site is not in a location where they would require surveys or District Level Licensing in relation to the presence of Great Crested Newts and this has been confirmed by the appellant's interrogation of Natural England's Magic Map. The LPA have not provided any evidence that would suggest the site is designated for its biodiversity or geodiversity level.
34. The unauthorised development, including the site access and hard surfaced area created within the site, has resulted in the loss of some original grassland. In addition, a small section of hedgerow has been removed to create the new vehicular access. Consequently, the unauthorised works have resulted in a loss of biodiversity.
35. However, having regard to the size of the appeal site and undeveloped area within it, there would be opportunities and sufficient area to provide biodiversity mitigation/compensation and enhancement, and I am satisfied that a soft

³ Letter Ref: SCC/CON/3306/25, Suffolk County Council, dated 24 February 2026.

landscaping and biodiversity mitigation scheme could be secured by a suitably worded condition.

36. I conclude, subject to the imposition of a condition to require the submission and implementation of an approved site development plan, to include a landscaping and biodiversity mitigation scheme, the development would not have a harmful effect on biodiversity or ecology. There is no conflict with Policy SP9 or LP13 of the WSLP, the aims of which are set out above. There is also no conflict with the NPPF in that regard.

Other Material Considerations

The provision of and need for Gypsy and traveller sites in the area.

37. There is a generally accepted national need for more traveller sites. The NPPF expects that the housing needs of different groups in the community should be reflected in planning policies. The PPTS, which is itself a material consideration, makes it clear that a relevant matter in the consideration of planning applications for traveller sites is the existing level of local provision and need for sites. More specifically, local planning authorities should identify and update annually a supply of deliverable sites sufficient to provide 5 years' worth of sites against their local set targets.
38. Policy SP19 of WSLP recently adopted plan identifies a cultural need of 39 pitches for West Suffolk's Gypsy and traveller community over the Plan period, 2024 – 2041. It advises that the full cultural need for 39 pitches will be met through the identification of, or extension to, existing sites and the regularisation of existing tolerated pitches. Having regard to Policy SP19 and recently adopted WSLP, the LPA consider they have a 5 year supply of pitches to meet their identified need.
39. The appellant does not consider that the Council's approach to the provision of pitches adequately caters for Gypsy and traveller households who are not currently accommodated on existing sites, including families who have been required to leave other sites, those living on unauthorised sites, including families who have moved from the District from neighbouring local authorities. In the appellant's case their family were previously accommodated on a site outside of the Borough, in Mid Suffolk, albeit only 10 miles from the appeal site. They were required to move from their previous site, where they were doubling up, as the site was being sold. They have established social, family and functional ties to the area, however it is highly likely that their accommodation needs were not taken into account in the evidence base informing the WSLP Gypsy and Traveller needs assessment (GTAA). Furthermore, the WSLP does not allocate any new Gypsy and traveller sites to address such circumstances.
40. I am mindful that the WSLP is recently adopted and has gone through rigorous examination. In addition, Policy SP19 provides a mechanism for the approval of windfall sites where there is an identified need and certain criteria are met. Thus, at this present time and in the absence of any substantive evidence that would indicate otherwise, I have no reason to dispute the Council's position. Furthermore, the appellant does not suggest that paragraph 11(d) of the NPPF should be engaged. Nevertheless, the Council does not dispute the appellant's need for a site and they are unable to identify any alternative sites for the occupiers which is a consideration in favour of the appeal.

Intentional Unauthorised Development

41. A Written Ministerial Statement (WMS), dating from August 2015, establishes that Intentional Unauthorised Development (IUD) is a material consideration to be weighed in the determination of planning applications and appeals. The WMS relates to all forms of development not just that relating to Gypsy and Traveller Sites. It places particular emphasis on IUD in the Green Belt. The Council consider that although the site is not in the Green Belt, the appellant was aware that planning permission was required and continued to develop the site despite not having the requisite consent. The Council consider the IUD carries moderate adverse weight.
42. It is not disputed by the appellant that the development is IUD. However, part of the underlying reason for seeking to deter IUD is to avoid prejudicing the opportunity to mitigate the impact of the development through the use of planning conditions. In this case an application for planning permission was made for the development, albeit subsequently withdrawn and deemed planning permission has now been sought. There is thus an opportunity provided to impose conditions to mitigate the development. I am also mindful that the 1990 Act, as amended, makes provision for retrospective planning permission, and planning enforcement is remedial rather than punitive. In this case, the harm resultant from IUD is thus limited.

Planning Balance

43. I have found no conflict with the development plan read as a whole. For decision taking this means approving development that accords with the development plan. The development would also accord with the provisions of the NPPF and national planning policy set out in the PPTS. Considering my finding that the development accords with the provisions of the development plan, my finding on IUD does not indicate that planning permission should be refused.

Conditions

44. I have considered the need for conditions put forward by the Council in the light of the Planning Practice Guidance and a discussion at the Hearing. It was agreed at the Hearing that as the development has already been carried out, the Council's suggested conditions relating to notification of ground contamination found during development and hours of operation during construction works are not necessary.
45. A condition is necessary to restrict the occupation of the site to Gypsies and travellers to secure the site as part of the Council's supply of traveller sites against future identified need. It is also necessary to condition the number of pitches and caravans to safeguard amenity.
46. In the interest of the appearance of the site, interests of biodiversity, water efficiency, the promotion of sustainable travel and highway safety it is necessary to require the submission and approval of a site development scheme to include a site layout plan, external lighting; soft and hard landscaping and biodiversity enhancements, which should include, the retention of all existing boundary hedging, trees and additional planting, details of all areas of hard surfacing, waste storage/recycling provision, water consumption, electric vehicle charging points, cycle storage and details of the drainage in relation to the site access. The condition is drafted in this form because, unlike an application for planning

permission for development yet to commence, in the case of a retrospective grant of permission, it is not possible to use a negatively worded condition precedent to secure the subsequent approval and implementation of the outstanding detailed matter. The condition therefore provides for the loss of the effective benefit of the grant of planning permission where the detailed matters in question are not submitted for approval during the time set by the condition, approved (either by the local planning authority ("LPA") or by the Secretary of State on appeal), and then implemented in accordance with an approved timetable. Should the requirements of the condition not be met in line with the strict timetable, then the planning permission falls away.

47. In the interests of highway safety, it is necessary to impose a condition to secure construction of the vehicle access, including the provision of the maximum achievable visibility splays to be laid out and maintained.
48. In the interests of the appearance of the site, it is also necessary to control any further fencing, means of enclosure, lighting and to prevent the stationing and storage of vehicles over 3.5 tonnes.
49. It is not necessary to impose a condition in relation to drainage as the site currently has a sewage treatment plant in operation and all hard surfacing laid is permeable.

Conclusion

50. For the reasons given above, I conclude that the appeal should succeed and planning permission is granted subject to conditions set out in the formal decision below. The appeal on ground (g) does not therefore fall to be considered.

Formal Decision

51. It is directed that the enforcement notice is corrected by the insertion of the word "material" before the word "change" in paragraph 3.
52. Subject to the correction, the appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act (as amended) for the development already carried out, namely the material change of use of land for the siting of one static home and one touring caravan for residential use, inclusion of a storage container and shed building and the installation of hardstanding at Land Adjacent to Duke of Marlborough, Bury Road, Hepworth, Suffolk, IP22 2PX as shown on the plan attached to the notice and subject to the following conditions:
 - 1) The use hereby permitted shall cease and all caravans, structures, buildings, hardstanding, equipment, materials brought onto the land for the purposes of the use shall be removed within 60 days of the date of failure to meeting any one of the requirements set out in i) to iv) below:
 - i) Within 3 months of the date of this decision a site development scheme (hereafter referred to as the scheme) to include:
 - a) a site layout plan showing the location of the caravan pitch, hard surfacing, parking area; buildings; external lighting waste and recycling facilities; electric vehicle charging points and secure cycle storage;

- b) details of means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water;
- c) details of soft landscaping for the site, including retention of existing native hedgerows and trees on the site's boundaries, and details of species, plant sizes and proposed number and densities and biodiversity enhancements; and
- d) water efficiency measures to demonstrate that water consumption on the site would not exceed 110 litres use per person per day

shall have been submitted for the written approval of the Local Planning Authority and shall include a timetable for its implementation.

- ii) Within 11 months of the date of this decision the scheme shall have been approved by the Local Planning Authority or, if the Local Planning Authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to and accepted as validly made by the Secretary of State.
- iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.
- iv) The approved scheme shall have been carried out and completed in accordance with the approved timetable and shall thereafter be maintained for the duration of the use of the site and development.

In the event of a legal challenge to this decision, or a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

- 2) Within three months of the date of this consent the site access shall be constructed with a minimum entrance width of 4.5m for a distance of 10m measured from the nearside metalled carriageway edge and provided with 2m x 60m (southern direction) and 2m x 75m (northern direction) visibility splays as shown on Drawing No: 2025-PPP066v1-Visibility, dated 8 January 2026 which accompanied this appeal. The visibility splays shall thereafter be maintained clear from obstructions to visibility over 0.6m in height.
- 3) No vehicles over 3.5 tonnes shall be stationed, parked or stored on this site.
- 4) The site shall not be occupied by any persons other than Gypsies and travellers defined in Annex 1: Glossary of Planning Policy for Traveller Sites (or its equivalent in replacement national policy).
- 5) There shall be no more than one pitch on the site and no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended, shall be stationed at any time, of which no more than one shall be a static caravan/mobile home.
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting or amending that Order) no additional gates, walls or fences or

other means of enclosure, shall be erected or placed within or on the boundaries of the site.

Elizabeth Pleasant

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Simon McKay SJM Planning

Walter Elliot-Smith Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Dave Beighton Principal Planning Officer

Connor Vince Senior Planning Officer

Oliver Bingham Planning Officer

Andy Smith Principal Enforcement Officer

George Bolan Senior Enforcement Officer

INTERESTED PARTIES:

Carol Bull Ward Councillor

DOCUMENTS

1. Notification of the Hearing Arrangements, dated 23 February 2026.
2. Natural England, Magic Map Data for Appeal Site, dated 19 February 2026 supplied by the Appellant.
3. West Suffolk Council's Local Plan Policies LP7, LP9 and SP11.
4. West Suffolk Recreational Disturbance Avoidance and Mitigation Study, Footprint Ecology, 2 June 2025.
5. Suffolk County Council Highway Consultation Response, dated 28 August 2025.
6. Suggested water efficiency/consumption condition.
7. Suffolk County Council Highway Consultation Response, dated 24 February 2026.