



Appeal Decision

Site visit made on 6 May 2026

by G Dring BA (Hons) MA MRTPI MAUDE

an Inspector appointed by the Secretary of State

Decision date: 29 June 2026

Appeal Ref: APP/J1915/W/25/3368768

Land at B1004/ Bourne Lane, Much Hadham, Hertfordshire

- 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 Mrs Linda James against the decision of East Hertfordshire District Council.
 - The application Ref is 3/24/1495/FUL.
 - The development proposed is change of use of the land to a glamping site (sui generis), together with four cabins (holiday lets), four electric caravan/ motorhome pitches, a toilet/ shower block, a reception/ office, a community clubhouse, an internal access track, car parking, cycle parking, electric charging points, a pond and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address above from the appeal form rather than the application form as it more clearly identifies the location of the site. Whilst the appellant has identified on the appeal form that the description of development has not changed since that stated on the application form, different wording is provided. However, given the description provided on the appeal form accurately describes the proposal, I have used that version in the banner heading above.
3. The Council suggest that the creation of the access and the track within the site have been carried out without planning permission in recent years and therefore these elements should be assessed as new rather than existing. It is not for me under this s78 appeal to consider the lawfulness of either of those elements. As such, I have dealt with the scheme based on its planning merits.

Main Issues

4. The main issues are:
 - whether the proposal would be sited in a suitable location with regard to accessibility to services, facilities and attractions;
 - whether it has been demonstrated that there is an identified need for the proposed use;
 - the effect of the proposal on the character and appearance of the site and the surrounding area;

- the effect of the proposal on highway safety with particular regard to visibility;
- the effect of the proposal on existing trees;
- the effect of the proposal on protected species; and
- flood risk, surface water drainage and foul drainage.

Reasons

Whether in a suitable location

5. The appeal site is located within a Rural Area Beyond the Green Belt for the purposes of the development plan. Policy GBR2 of the East Herts District Plan October 2018 (EHDP) identifies the types of development that would be permitted in such areas, subject to them being compatible with the character and appearance of the rural area. I am referred to criterion b) of Policy GBR2, which supports the provision of facilities for outdoor sport and recreation and criterion c), which is supportive of employment generating uses.
6. The appellant asserts that glamping is comparable to traditional camping, given that it would provide an upmarket version of such a facility but with additional comforts. Whilst I do not find it likely that future visitors would remain in their accommodation for sustained periods throughout their stay, I do not find that it would be directly comparable to camping, given the level of accommodation provided by the cabins, and in motorhomes or caravans that require an electric hook up.
7. The cabins would appear as purpose built holiday lodges of permanent construction, with full utility connections and a level of accommodation more akin to self-catering holiday cottages than camping facilities. The bringing of caravans and motorhomes on to the site to utilise the pitches would also not represent glamping in my view as it would be the visitors bringing their accommodation onto site rather than the accommodation being provided by the operators of the site. As such I am not convinced that the proposal would be an outdoor recreational facility.
8. I recognise that visitors may be encouraged to make use of other outdoor recreational or sporting facilities in the surrounding area but this would not mean that the proposal would form an outdoor recreational or sporting facility itself. In my view, whilst the proposal would provide tourist accommodation, allowing people to stay in a countryside location, there is no evidence before me that demonstrates it would directly facilitate outdoor recreational or sporting activities.
9. I therefore find that rather than being a facility for outdoor recreation or sport, the proposal would result in tourist accommodation, which I find is a different type of development. Consequently, I do not find that the proposal would fall under criterion b) of EHDP Policy GBR2.
10. Turning now to criterion c) of Policy GBR2 and Policy ED2 of the EHDP, which support employment generating uses where they are appropriately and sustainably located. I am of the view that the proposal, as tourist accommodation, would represent an employment generating use, and therefore it is necessary to consider the sustainability of the appeal site location.

11. EHDP Policy TRA1 sets out that proposals should primarily be located in places which enable sustainable journeys to be made to key services and facilities and that a range of sustainable transport options are available to users. In respect of the proposed community clubhouse, EHDP Policy CFLR7 refers to community facilities and amongst other criteria, states that proposals should be in suitable locations, served by a choice of sustainable travel options.
12. The appellant asserts that the proposal is a type of development that are more often than not located in rural areas due to the countryside location providing one of the key attributes of this accommodation type. Nevertheless, this does not outweigh the need to assess the accessibility of the site in terms of whether a range of sustainable transport options are available.
13. Both parties state that it is likely that visitors would arrive at the site by private vehicle, given the nature of the accommodation, the type of use proposed and the location of the site. I concur with this view and do not find that this would be unusual for this type of scheme.
14. Turning now to the opportunities once at the site, to access services, facilities and attractions in the local area, by means other than the private vehicle. The settlements of Much Hadham and Widford are located along the B1004 and are approximately 1km away from the site. I noted a convenience store with post office, a public house and a small museum in Much Hadham during my site visit, but I am not directed to any other facilities or services that visitors may use in these nearest settlements. I am referred to the Henry Moor Foundation, that may offer a local attraction, but I have no information on what sort of facility that is or its location in relation to the site.
15. I noted the rural character of the roads surrounding the site, being narrow in places, winding and with no continuous separate pavement or lighting. In places along the B1004, there were fairly steep banks to either side of the road, meaning that it would not be possible to stand clear of the road as traffic passes.
16. In my view, given the distance in combination with the nature of the roads, it would not provide a safe pedestrian environment, to access the limited range of services and facilities in the nearest settlements, whether in the summer or winter months. Given the characteristics of the road set out above, and with no separate cycle infrastructure, I also do not find that cycling would be an attractive option to most. Even with the use of torches or lights in more inclement weather or when dark, I do not find that walking or cycling would be an attractive or safe option for most.
17. I am referred to the public footpaths in the local area, that would provide opportunities for walking. Whilst I noted the presence of signage within the vicinity of the site and that some limited information has been submitted, I am not provided with any substantive information on the public footpath network in the local area. Therefore, whilst the public footpaths may provide recreational routes, I am not provided with any evidence that the condition of the routes and the distances involved would provide appropriate access to services, facilities or attractions.
18. I noted the presence of bus stops at the junction between Bourne Lane and the B1004. I find that these bus stops would be accessible from the site on foot, given the very short distance that would need to be covered to reach them. The Council has provided a bus timetable which identifies a regular service between Hertford and Bishop's Stortford in both directions from Monday to Friday, a more limited

service on a Saturday and no service on Sundays or public holidays. The bus service would therefore provide an option for travel other than by the private vehicle, although the more limited services on a Saturday and the lack of service on Sundays and public holidays would limit its usefulness for those staying over the weekend.

19. Whilst I recognise that charging points would be provided on site, there is no way of guaranteeing that visitors to the site would use electric vehicles.
20. Taking all of these matters into account, I find it highly likely that after arriving at the site, visitors would be largely reliant on the private vehicle to access services and facilities in the local area.
21. Paragraph 88 of the National Planning Policy Framework (the Framework) supports the sustainable growth of business in rural areas including sustainable rural tourism which would respect the character of the countryside. The Framework also acknowledges that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. However, it indicates that in these cases it is important to ensure development does not have an unacceptable impact on local roads. I will discuss this matter later in this decision.
22. I therefore find that the proposal would not be in a suitable location with regard to accessibility, and as such it is contrary to Policies GBR2, ED2, TRA1 and CFLR7 of the EHDP, the relevant aims of which are set out above.

Whether there is an identified need

23. EHDP Policy ED5 sets out that new tourism enterprises will be supported in principle where the facility meets identified needs which are not met by existing facilities, are appropriately located and do not conflict with other policies within the development plan.
24. The appellant asserts that glamping is increasing in popularity across the country and should be encouraged to limit the environmental harm caused by overseas holidays. Whilst I appreciate that glamping can take many different forms in terms of the type of accommodation provided, as stated above, in this case, given the type of accommodation proposed, I do not find that the proposal would represent a type of 'upmarket camping' that typically forms glamping.
25. Nevertheless, whether glamping, or holiday lodges and pitches for caravans and motorhomes, I acknowledge that the proposal would broaden the choice of tourist accommodation in the local area. However, very little information is provided about any identified need for such a development in the location proposed. I understand that the camping provision in the vicinity of the site is more limited, but the proposal is not for a camp site. There is no information on any other form of tourist accommodation in the local area that would more closely align with that being proposed, for instance, if there are any, where they are located or whether they are at capacity during the main tourist season. There is no other local market assessment that sets out what the need is and how the proposal would respond to that.

26. I appreciate that the provision of a clubhouse and the rural location of the site are features which may attract visitors to the site, nevertheless, based on the limited evidence before me, I do not find that it has been demonstrated that there is an identified need for such a development. I therefore find that the proposal is contrary to Policy ED5 of the EHDP, the aims of which are set out above.

Character and appearance

27. The site comprises a sloping grass field which was in use for equine grazing at the time of my site visit. An existing hard surfaced track runs from the access point at the northern end, through the site, down to the southern corner. Mature trees and hedgerows are located along the boundaries which run alongside the B1004 and Woodlands Road and to the rear of the site. The site is rural in character, being predominantly undeveloped and largely surrounded by boundary vegetation.
28. There are small sporadic groups of dwellings situated along the B1004 between the settlements of Much Hadham and Widford, including a group of dwellings to the southwest of the site. However, directly opposite the site, to the rear and adjacent to the northeast is open countryside. Therefore, I found the immediate surroundings to be predominantly rural, and the open and largely undeveloped nature of the site contributes positively to the character and appearance of the area.
29. Whilst the proposed development would appear low density, with part of the site remaining undeveloped, the introduction of the cabins, toilet and shower block and clubhouse, along with the electric pitches and additional hardstanding would erode the rural and largely undeveloped character of the site. The proposed layout, with built form being laid out in a linear pattern would appear fairly regimented, and at odds with the sporadic nature of development locally. The paraphernalia and activity associated with the proposed use would also erode the rural character and appearance of the site.
30. The stepped design of the clubhouse seeks to respond to the sloping nature of the site and would avoid the need for substantial levelling works in that area. However, the proposed site levels drawing shows that a strip of land to the rear of the site would be subject to levelling works in order to accommodate the proposed cabins. It is not clear how significant these works would be, but in any event, they would alter the sloping nature of the site, diminishing its current character.
31. I acknowledge that certain design features have been incorporated intended to limit the effects of the development in respect of the height and spacing of buildings, their footprint, use of dark materials, utilising the existing track and providing soft landscaping within the site. However, such mitigation would not alter the fact that the rural, open and largely undeveloped character and appearance of the site would be eroded, undermining the intrinsic value of the countryside. The development would be discernible from the access point on Bourne Lane, and from points along Woodlands Road to the north, where there are breaks in vegetation. Whilst I note that the landscaping around the boundaries could be bolstered further, this would not resolve the harm to the rural character and appearance of the area, as the site would still be developed more than is the case currently and the rural characteristics would be eroded.
32. I therefore find that the proposal would have a harmful effect on the character and appearance of the site and the surrounding area. The proposal is contrary to

Policies GBR2, DES2 and DES4 of the EHDP. These policies seek, amongst other things, that proposals are compatible with the character and appearance of the rural area, that local distinctiveness is promoted and that landscape character is conserved, enhanced or strengthened.

Highway safety

33. The proposal includes vehicular access from Bourne Lane at the northern end of the site. At the time of my site visit, an access was in place in the general location of that shown on the site location plan. I note that the Highway Authority did not object initially, assessing the access as one that was existing, but have since changed its comments requiring further information as it now considers it to be a new access. As stated above, it is not for me under this appeal to determine the lawfulness of that access point. However, it is under my remit to consider whether the proposal, using the access proposed would be acceptable, in terms of the effect on highway safety.
34. The access is located in close proximity to the junction between Bourne Lane and the B1004, and also directly adjacent to the access onto Woodlands Road. The TS sets out that the access would be upgraded to accommodate the traffic movements generated by the proposal. It states that 30 two way vehicular trips would be generated each day which would be staggered throughout the day. It also states that one staff member would generate one arrival and departure each day. I have no substantive evidence to suggest any other contrary level of traffic movements would result from the proposal.
35. I find that vehicle movements within the site would be satisfactorily accommodated, using a loop road to ensure that vehicles could enter and leave the site in a forward gear and that an appropriate level of parking would be provided.
36. The TS identifies that speed surveys were carried out on Bourne Lane which found that the 85th percentile speeds were 33mph westbound and 32mph eastbound. The stopping site distances are identified as being 14m westbound and 49m eastbound, which are shown as achievable on the Means of Access drawing submitted as part of the TS. However, there is no substantive detail on how the speed survey was conducted or the location of the survey points.
37. I noted the very close proximity of the Bourne Lane/B1004 junction to the access point during my site visit and the very short distance that would be visible to the left when exiting the site. Given that visibility in this direction is restricted and the very short distance between the access and the junction, I find it necessary that sufficient visibility is demonstrated, to avoid the potential for vehicle collisions in proximity of the access. Therefore, I find that there is insufficient evidence to provide clarity on the location of the speed survey and consequently whether the resultant visibility splays identified are sufficient.
38. The Personal Injury Collision data provided identifies that there is no history of accidents in proximity of the access point, however, that data is taken when it is asserted that the access was not in use or when in use, vehicle movements associated with the paddock use of the site, which would be a different number and character of movements to that set out in the TS. This does not therefore alter my assessment above.

39. I therefore find that there is insufficient information to demonstrate that the proposal would not result in harm to highway safety, with particular regard to the visibility from the access point. The proposal is therefore contrary to Policy TRA2 of the EHDP which seeks, amongst other things, that development proposals should ensure that safe and suitable access can be achieved for all users.

Existing trees

40. The appeal site comprises a number of trees along the rear boundary and the boundary adjacent to Woodlands road, that would be located in close proximity to the four cabins, shower and toilet block and the clubhouse. The trees add to the biodiversity value of the site, in terms of their potential for breeding birds and also contribute positively to the verdant character of the area and provide a significant rural feature, which are seen from within the site and also from the surrounding area.
41. The appellant asserts that there is no intention to remove any of the trees and that the buildings would be lightweight and on pad foundations. Whilst that may be the case, there is very limited evidence before me about the potential impact of the proposed works on the trees or what protective measures might be needed. In particular, the levelling work shown on the proposed section drawing would run in close proximity to the rear boundary. There is no detail provided on the location of the root protection areas of the trees and how they would relate to the proposed levelling works or the location of the buildings.
42. Without information, clearly locating the existing tree constraints, or any significant detail about how the proposed works would relate to them, I am not satisfied that the proposal would not result in harm to the trees, which may in turn lead to them being degraded or lost in the future. The loss of trees would be harmful to the verdant and rural character and appearance of the area and would also result in the loss of habitat for breeding birds.
43. I therefore find that there is insufficient information before me to demonstrate that the proposal would not result in harm to the existing trees. The proposal is contrary to Policies DES3 and NE3 of the EHDP which seek, amongst other things, that developments retain, protect and enhance existing landscape features.

Protected species

44. Badgers are a protected species, not for their rarity, but for their welfare and protection against illegal cruelty. The Appellant's Ecological Appraisal (EA) identified a badger sett along one of the boundaries and that a 30 metre buffer zone should be provided around the entrance. If that is not possible, the EA suggests that a full badger survey is carried out to establish presence and activity.
45. The proposal includes a pond and soft landscaping within the buffer zone set out in the EA, therefore groundworks would be carried out within that area identified. No full survey in accordance with the recommendations of the EA has been provided. Therefore, there is insufficient information to demonstrate that the proposal would not be likely to result in disturbance or harm to badgers. I do not find that it would be appropriate to require a full survey by planning condition, as this should be resolved prior to granting permission, to ensure that the protected species is adequately considered prior to the approval of the scheme.

46. The appellant asserts that an amended landscaping scheme could also be sought by planning condition, which could result in the removal or relocation of the proposed pond. However, that would lead to a significant change to the scheme and consequently, I do not consider that it can be sufficiently dealt with by condition. Therefore, as there are no amended drawings before me that remove the pond from the proposal in the location shown, I must consider the proposal as it is before me.
47. Whilst the appellant asserts that mitigation measures identified in the EA, such as precautionary approaches, would be followed, that there are other measures included in the scheme to encourage biodiversity and that the Council has not suggested Biodiversity Net Gain could not be achieved on the site, this does not override my concerns about protected species.
48. I therefore find that there is insufficient evidence before me to demonstrate that protected species would not be unacceptably harmed by the proposal. The proposal is therefore contrary to Policy NE3 of the EHDP which seeks, amongst other things, that biodiversity is enhanced and that up to date ecological surveys are undertaken prior to the submission of applications.

Flood risk, surface water drainage and foul drainage

49. Paragraph 173 of the Framework states that a sequential risk-based approach should be taken to individual applications in areas known to be at risk now or in the future from any form of flooding, in order to steer new development to areas with the lowest risk of flooding from any source. Paragraph 175 goes on to state that a sequential test should be used except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, would be located on an area that would be at risk of flooding from any source, now and in the future.
50. Both parties identify that the part of the site where the buildings would be located is not at risk of flooding, but that the access would be located in an area at more significant risk of flooding. However, there is very little evidence before me on this matter.
51. The appellant asserts that because of the limited possibility of flooding and due to there being an alternative access, the sequential approach would not be necessary in this case. However, it is confirmed that the alternative access referred to is outside of the site boundary and I have no details of that access shown on any of the submitted drawings.
52. There is no Flood Risk Assessment (FRA) before me which demonstrates that no built development within the site boundary, including access or escape routes, would be located on an area that would be at risk of flooding from any source, now and in the future. Consequently, I find that the sequential approach would be necessary in this case. There is no information provided on any other sites that have been considered in this respect and therefore no detail on whether the site would meet the sequential test in this case.
53. It is suggested that a planning condition could be used to ensure that a warning and evacuation plan is in place in the event that the access was subject to a flooding event. However, without more information on the flood risk constraints of

the site and without a FRA or sequential assessment, I do not find that it would be appropriate to leave this matter to be dealt with by a planning condition.

54. The Council identify that parts of the site are within a Source Protection Zone (SPZ) which relates to a public water abstraction, meaning that the site is sensitive in respect of drainage matters and groundwater resources. There is no evidence before me which suggests this is not the case.
55. With regard to surface water drainage, the appellant asserts that the existing and proposed tracks, parking areas and pitches would be permeable surfacing and that there would be very little change to the ability to manage surface water drainage appropriately on site, without affecting surrounding areas. It is suggested that infiltration would be the drainage method utilised. However, no technical information nor a drainage strategy is provided which demonstrates that infiltration would be an appropriate method in this case or whether any additional mitigation is necessary in order to prevent groundwater pollution.
56. The proposal includes the use of a non-mains foul drainage system. The Planning Practice Guidance (PPG)¹ advises that septic tanks or package sewage treatment plants may only be considered if it can be clearly demonstrated by the applicant that discharging into a public sewer is not feasible. There is no information before me on why a non-mains foul drainage system is necessary in this case. Also, no information is provided on the potential impacts of such a system on this site and any mitigation measures that would be required.
57. Therefore, without more detailed information, I cannot be satisfied that the proposal would not result in harmful effects on groundwater resources, controlled waters or the SPZ. Whilst I note the appellant states that surface water and foul drainage schemes could be secured by condition, I am not satisfied, based on the limited information before me, and due to the sensitivities of the site set out above, that this matter should be left to the post approval stage.
58. I therefore find that there is insufficient information to demonstrate that the proposal would be acceptable in terms of flood risk, surface water or foul drainage. The proposal conflicts with Policies WAT1, WAT2, WAT3 and WAT5 of the EHDP. These policies seek, amongst other things, that proposals neither increase the likelihood or intensity of flooding, nor the risk to people or property both on site and on neighbouring land, that drainage systems are appropriately designed, that the water environment is preserved or enhanced and that groundwater is protected.

Other Matters

59. The appellant sets out that the clubhouse would enable the provision of light refreshments, the sale of daily items such as bread and milk and, a space to relax in and meet. This element of the proposal may result in some social benefit. The proposal would result in some economic benefits, during the construction phase and with visitors supporting, businesses, services and facilities in the local area. It is also likely that there would be employment generated as a result of the scheme. Environmental benefits could result from landscaping and biodiversity enhancements and there is no dispute that a Biodiversity Net Gain of 10% could be achieved. However, having regard to the scale of the development and the evidence submitted, I find no substantive basis to conclude that the proposal

¹ Paragraph: 020 Reference ID: 34-020-20140306

would make a notable contribution that would outweigh the harm that I have found above.

60. Whilst I note that it is suggested that the clubhouse could form a dual use facility, also being used by the wider community, there is no evidence before me on the need for such a facility in this location. Also, I do not find that such an operation could be secured by a planning condition and there is no other mechanism before me which would secure it as such. The benefit associated with this element of the scheme is therefore negligible.
61. The Council do not assert that there would be harm to the living conditions of occupiers of neighbouring or nearby dwellings as a result of the development. Even if I were to agree, a lack of harm in this respect would be a neutral consideration that would weigh neither for nor against the proposal.
62. It is asserted that there is a fallback position, in that the site could be used as a temporary campsite under permitted development rights. However, that use would represent a materially different scheme and is not comparable. In any event my assessment is focused on the merits of the scheme before me.
63. Whilst I note that there were some interested party comments made in support of the proposal, for the reasons set out above, I have come to a different conclusion in this case.

Conclusion

64. The appeal proposal conflicts with the development plan, taken as a whole. I have found no material considerations that indicate the appeal should be determined other than in accordance with the development plan. Consequently, I conclude that the appeal is dismissed.

G Dring

INSPECTOR