



# The Planning Inspectorate

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Ruth Redding  
King's Lynn and West Norfolk  
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Kings Court  
Chapel Street  
King's Lynn  
Norfolk  
PE30 1EX

Your Ref: 09/00383/F  
Our Ref: APP/V2635/A/09/2115428/NWF  
Date: 29 April 2010

Dear Ms Redding

**Town and Country Planning Act 1990**  
**Appeal by Mr M A Cobbold**  
**Site at Land East Of Winchester House, Cowles Drove, Hockwold, Thetford,**  
**IP26 4JQ**

I enclose a copy of our Inspector's decision on the above appeal.

If you have queries or complaints about the decision or the way we handled the appeal, you should submit them using our "Feedback" webpage at [www.planning-inspectorate.gov.uk/pins/agency\\_info/complaints/complaints\\_dealing.htm](http://www.planning-inspectorate.gov.uk/pins/agency_info/complaints/complaints_dealing.htm). This page also contains information on our complaints procedures and the right of challenge to the High Court, the only method by which the decision can be reconsidered.

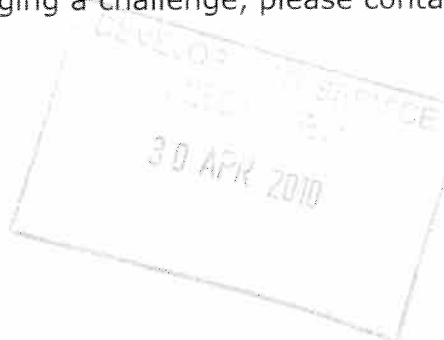
If you do not have internet access, or would prefer hard copies of our information on the right to challenge and our complaints procedure, please contact our Quality Assurance Unit on 0117 372 8252 or in writing to the address above.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 0207 947 6655.

Yours sincerely

Amanda Baker

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*You can now use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is - <http://www.pcs.planningportal.gov.uk/pcportal/casesearch.asp>  
You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button*



# Appeal Decision

Site visit made on 20 April 2010

by **E Norma Farish BA DipTP MRTPI**

an Inspector appointed by the Secretary of State  
for Communities and Local Government

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**Decision date:**  
**29 April 2010**

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**Appeal Ref: APP/V2635/A/09/2115428**

**Land east of Winchester House, Cowles Drive, Hockwold, Thetford, Norfolk IP26 4JQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr M A Cobbold against the decision of King's Lynn and West Norfolk Borough Council.
- The application Ref 09/00383/F, dated 3 March 2009, was refused by notice dated 15 June 2009.
- The development proposed is construction of tourist accommodation in the form of two log cabins.

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## Decision

1. I dismiss the appeal.

## Main issues

2. The principal issues in this case are whether by virtue of its location the development proposed would meet national sustainability objectives and whether that development would be likely to have an adverse impact on the nearby Breckland Farmland Special Protection Area.

## Reasons

3. The appeal site lies in a very open, flat area of countryside which is designated an Area of Important Landscape Quality: Open. Cowles Drive is a mostly unmade road which runs westward from the B1112 south of the village of Hockwold-cum-Wilton and gives access to an extensive agricultural area together with a small number of sporadic commercial and residential premises on large plots interspersed with fields and paddocks. Winchester House is a modern bungalow with an adjacent two storey brick building signed "Tattoos" and a recently erected bright green corrugated metal barn, all within an extensive rectangular lawned area with landscape planting and hedged boundaries. The appeal site comprises a small part of this plot at the south-east corner fronting on to Cowles Drive.
  4. Apart from the existing tall leylandii hedge along its eastern boundary the appeal site is not distinguished from the open land which surrounds it. The proposal is for two single-storey two-bedroom log cabins set well back from the road behind an area of tree and shrub planting with car parking and an open amenity area at the rear some 10m deep.
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5. National planning policy as set out in Planning Policy Statement 1 *Delivering Sustainable Development* (PPS1) and Planning Policy Statement 7 *Sustainable Development in Rural Areas* (PPS7), and elsewhere, seeks, inter alia, to encourage patterns of development which reduce the need to travel by private car and emphasises that preferably new development should be located where services and facilities can be accessed on foot, bicycle or public transport. PPS7 paragraph 37 states that the Government expects most tourist accommodation requiring new buildings to be located in, or adjacent to, existing towns and villages.
6. The appeal site is not accessible by public transport, and at a distance of approximately 1.5Km from the built up area of Hockwold it is remote even from the most basic of shopping or social facilities. Occupiers of the appeal development would therefore be dependent on private motor transport. The Good Practice Guide on Planning for Tourism (2006), whilst acknowledging that in some locations chosen for functional reasons it will be difficult to meet the objective of access by sustainable modes of transport, nonetheless states that wherever possible and feasible developers should look to develop close to public transport interchanges or bus routes.
7. The appellant submits that the site would be marketed towards those who have horse riding interests, but would also appeal to ramblers and others seeking the peacefulness of the countryside. He argues that Cowles Drove carries little traffic and is linked to many bridle paths and bridle ways, that the area is very suitable for horse and pony riding, and that there is space within his ownership for grazing. There are also livery stables on Cowles Drove about 1Km away. That said, neither the application nor the appeal submission includes any indication of an intended horse grazing area or other specialist facilities to cater for a particular clientele, nor could the occupation of the accommodation reasonably be restricted to such persons.
8. Clearly this is not a sustainable location, and in the absence of a functional need for the proposed log cabins to be located here the appeal scheme conflicts with and would be detrimental to the objectives set out in PPS1, PPS7 and the Good Practice Guide on Planning for Tourism.
9. The appeal site lies some 1200m outside the Breckland Farmland Special Protection Area and within the surrounding buffer zone. This SPA has international designation relating to stone curlew birds, which are a protected species under European Directive 79/409/EEC and by Schedule 1 of the Wildlife and Countryside Act 1981, as amended. Although the relevant policy within the King's Lynn and West Norfolk Core Strategy has not yet reached an advanced stage towards adoption the same policy relating to the part of the buffer zone lying in the adjoining local authority area has been the subject of examination in public and has been found to be sound. Moreover the buffer zone has already been recognised by Natural England. It therefore carries considerable weight.
10. The council has carried out an Appropriate Assessment under the terms of the Nature Conservation (Natural Habitats &c) Regulations 1994 (as amended) and concluded that, having regard to the advice given by Natural England, the impact of the appeal proposal on the integrity of the SPA is uncertain. Since in the view of Natural England the appeal proposal, in combination with other

planned development around the SPA, represents a likely significant effect on the SPA, and it cannot be ascertained whether compliance with conditions or other restrictions or alternative solutions would avoid an adverse effect on the integrity of the SPA, unless there is an imperative reason of overriding public interest to justify allowing the development in accordance with paragraph 23 of ODPM Circular 06/2005 planning permission must not be granted. No such reason has been put forward and so I am satisfied that the appeal proposal would because of its potential adverse impact on the integrity of the SPA be contrary to the objectives of the Wildlife and Countryside Act 1981 as amended.

11. I appreciate that a barn larger than the two log cabins proposed has been accepted on the appellant's property, but as this evidently has deemed permission as agricultural permitted development it does not set a precedent or otherwise affect my consideration of the case before me. Having given careful consideration to the above and all other points raised in the representations received I have come to the conclusion that the planning permission sought should not be granted. The appeal fails.

**E Norma Farish**

INSPECTOR

