



Appeal Decision

Site visit made on 9 July 2019

by S Hanson BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2019

Appeal Ref: APP/F9498/W/19/3221965

Leighland House, Ham Lane, Roadwater, Watchet, Somerset TA23 0RP

- 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 Richard Irwin against the decision of Exmoor National Park Authority.
 - The application Ref 6/26/18/102, dated 27 April 2018, was refused by notice dated 16 August 2018.
 - The development is described as "retrospective planning consent for the erection of a timber stable building and field shelter. Both structures have been in-situ for approximately 3 years. Both structures are currently located on metal skids with no solid base. This application also seeks retrospective consent for a small standing paddock in front of the stables which is bounded by a timber post and rail fence."
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of agricultural land to equestrian together with the erection of a timber stable building, tack room and field shelter together with a post and rail wooden fence at Leighland House, Ham Lane, Roadwater, Watchet, Somerset TA23 0RP in accordance with the terms of the application, Ref 6/26/18/102, dated 27 April 2018, and the plans numbered Site Location Plan and Existing Site Plans ref 1740/100A and Existing Plans and Elevations ref 1740/101, subject to the following conditions:
 - 1) The buildings and land hereby permitted shall not be used at any time other than for the purposes of agriculture or for the keeping of horses ancillary to the residential use of the dwelling known as Leighland House, Ham Lane, Roadwater Watchet TA23 0RP.
 - 2) The buildings and land shall not be used for livery letting, leasing or any other commercial equestrian activity.
 - 3) Details of any external lighting shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Procedural Matter

2. The description of development, as stated on the application form, is set out in the banner heading above. The National Park Authority (NPA), on the decision notice, has described the development as a change of use of agricultural land to equestrian together with the erection of a timber stable building, tack room

and field shelter together with a post and rail wooden fence retrospective. The NPA dealt with the development on this basis and, accordingly so have I.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area, including whether it conserves and enhances the natural scenic beauty of the landscape within the Exmoor National Park.

Reasons

4. The site is located within the Exmoor Landscape Character Type 1 'Wooded and Farmed Hills with Combes'. The officer report describes key features which include a rounded landform of interconnected hills offering extensive panoramic views both inland and towards the coast. Land use is principally defined by agriculture, predominantly of improved pasture. Fields are generally of a medium size scale delineated by hedges and hedgebanks, typically with woodland lining the adjacent valley sides and floors. This is a concise assessment of the surrounding area with which I see no reason to disagree.
5. Leighland is a hamlet with several properties surrounding the church and a lane running through the centre. The appeal site is to the south of the main built form of the settlement within a small field. There are two stables with a tack room and a separate field shelter on the site. The area immediately to the front of the buildings is enclosed by a wooden post and rail fence. The buildings have a total footprint of some 45 square metres. They are constructed of horizontal timber boarding with a natural finish and have a shallow profile corrugated metal roof.
6. The development is in the corner of the field positioned against a high hedgerow which defines its southern boundary. The site is in an elevated position with a public right of way running along the eastern side of the field. The field's northern boundary adjoins Leighland Cottage, close to the rear of the property, and the stables are 50 metres (m) from this dwelling. Given this modest separation from the main built form of the settlement, the development is neither remote or isolated in this location and is viewed within the context of the nearest buildings. The post and rail fencing being close to the equestrian buildings is viewed against these timber structures.
7. The NPA note the appellant's residential property is found some 60 m to the east and is separated from the field by another residential property. I am unaware of land within the appellant's ownership and consequently whether the stables could be positioned on a site closer to the appellant's dwelling. Nevertheless, the distance is not excessive within this context and retaining a degree of separation from residential dwellings is preferable to minimise potential nuisance through odour and noise.
8. Although the development is sited in an elevated position, it is nestled within the rolling landscape and set against an established hedge of a similar height to the roof level of the buildings. It is acknowledged that selected localised views of the development are possible. However, the cumulative effects of the surrounding natural screening, simple appearance and modest scale of the buildings and fencing and the use of natural traditional materials ensure that the development does not have a significant visual impact within the wider

area, nor an unacceptable adverse harm on landscape character and the natural scenic beauty of this area of the National Park.

9. Policies GP1, CE-S1, CE-D1 of the Exmoor National Park Local Plan 2011-2031 (including minerals and waste policies) (2017) (LP) require, among other matters, development proposals in the National Park to conserve and enhance the distinctive characteristics of the landscape, minimising visual impact through high quality design that reflects local landscape character with particular regard to scale, siting, materials, and colour. Policy RT-D11 of the LP supports equestrian development subject to criteria including that the development will not harm the natural environment, landscape setting, amenity of the surrounding area, or neighbouring properties and is of an appropriate scale, unobtrusive in form, in terms of height, position and materials and be sited close to the host dwelling.
10. In relation to the main issue, the development has an acceptable effect upon the character and appearance of the area and surrounding landscape. It complies with Policies GP1, CE-S1, CE-D1 and RT-D11 of the LP. It follows therefore that I also find compliance with paragraphs 170 and 172 of the Framework which seek to protect and enhance valued landscapes and afford the highest protection to the landscapes of National Parks.

Conditions

11. It is deemed necessary and reasonable to impose a condition restricting the use of the buildings in the interests of highway safety and to protect living conditions. A condition to control external lighting is also necessary and reasonable in the interests of visual amenity, wildlife conservation and to protect Exmoor's dark night sky. Where I have altered the wording of the conditions put forward by the NPA I have done so in the interests of precision.

Conclusion

12. For the above reasons, and taking into account all other matters raised, I conclude that the appeal should be allowed, subject to conditions.

S Hanson

INSPECTOR