
Appeal Decision

Site visit made on 30 July 2019

by J Williamson BSc (Hons), MPlan, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2019

Appeal Ref: APP/F2605/W/19/3229293

Old Workhouse Paddocks, Reepham Road, Bawdeswell NR20 4RY

- 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 Matthew Beckett against the decision of Breckland District Council.
 - The application Ref 3PL/2019/0113/F, dated 1 February 2019, was refused by notice dated 5 April 2019.
 - The development proposed is change of use of outbuilding into holiday accommodation.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the appeal was submitted the Council has adopted a new Local Plan – the Breckland Local Plan (November 2019). The Council has confirmed which new policies correspond with and replace the policies which the application was determined against. Parties have been given the opportunity to comment on the implications of the new Local Plan to the appeal. In accordance with planning law, I have determined the appeal on the basis of the current development plan.

Main Issues

3. The main issues are:
 - the effect of the proposal on living conditions of future occupiers;
 - the effect of the proposal on the character and appearance of the area and biodiversity, due to the removal of a hedgerow, and
 - whether or not the need for such tourist accommodation has been demonstrated.

Reasons

Living Conditions – Future Occupiers

4. The proposal entails changing the use of an existing building, which is currently used for welfare purposes associated with adjacent stables, to holiday accommodation.
5. The site is a rectangular piece of land which mainly comprises of a manege, stable block, the appeal building and paddocks. There is an existing access into the site off Reepham Road with a gravel driveway leading to the buildings. The

site is located within the countryside outside of the settlement boundary of Bawdeswell village, the centre of which is located approximately 0.8 miles from the site.

6. The building that is proposed to be used as holiday accommodation is sited between the manege and the stable block; the rear of the building is close to a side boundary of the manege and the front of the building is near to the end of the stable block. The proposal would include a living room, kitchen, shower room and garage on the ground-floor and a drawing room and bedroom on the first-floor. Two windows serving the living room would be in the front elevation, looking out onto the stable block, from a distance around 6 m from the end of the stables. The main glazed opening in the drawing room would also be in the front elevation, directly above the living room windows. The outlook from the drawing room would be similar to that from the living room, albeit from a higher level. The kitchen would have 2 windows located within the rear elevation facing the manege, less than one metre from its boundary. The appeal building is, in effect, located in a prominent position within a stable yard, surrounded by a manege, stables and paddocks.
7. The stable block consists of 4 stables which could allow 4 horses, each owned by different owners, to be stabled at the site at any one time. I have not been made aware of any limitations on the hours of use of the stables, manege and/or paddocks. It is therefore possible that at any time during the day, and possibly all at the same time, 4 vehicles, sometimes with horse trailers attached, could be driven onto, parked on, and driven off the site. The stables will require regular mucking out and the manege will at times be used for exercising horses. During the summer months, with the longer days, the peak time of the year for visitors that would use the accommodation, this could mean that vehicles arrive in the early hours of the morning and/or the evening, and/or any time during the day, to, eg muck out, exercise and/or groom horses.
8. Such activities would occur in close proximity to key habitable room windows in the proposed holiday accommodation. There would inevitably be, at varying times and to varying degrees, smells from the stables, flies around the site, noise associated with horses moving around the stables, noise from horses cantering around the manege, noise from the movement of vehicles to and from the site and from the activities and utterances of the horse owners whilst on site. Visitors to the accommodation could also be inconvenienced when trying to access or exit the site in a car, which most potential users are likely to arrive in, due to other vehicles being on the site in association with the stabling of horses.
9. The appellant contends that it is realistic to suggest that visitors to rural locations, such as the site, would be acceptive of, or at least expecting, noises such as horses neighing and rolling around in stables, as these are typical rural characteristics. In addition, they suggest that some visitors may be attracted to such closeness to country living. I acknowledge these sentiments. However, I consider that accommodation sited in the heart of a stable yard, surrounded by, and located within very close proximity to, the stables, a manege and paddocks, is not what most visitors would expect or desire when holidaying in the countryside. Furthermore, the noise and disturbance described above is evidently more than just horses neighing and rolling around stables. Occupiers of the proposed holiday accommodation would also have a poor outlook from

key habitable room windows, limited privacy levels due to the close proximity to the other facilities on the site and could be regularly inconvenienced as a result of the site's dual use. As such, I consider the living conditions of future occupiers would be of poor quality in respect of outlook, noise and disturbance, privacy and inconvenience.

10. Policy COM 03 of the Breckland Local Plan (November 2019) (BLP), requires consideration of the impact new development would have on the amenities of existing neighbouring occupants and those to be provided for future occupants, with regards to, among other things, noise, odour, vibration and other forms of nuisance, and privacy. Given the very close proximity of the proposed holiday accommodation to the stables, manege and paddocks and all the associated noise, disturbance, smells and activities associated with the dual use of the site for stabling of horses, I conclude that the living conditions of future users of the accommodation would be of poor quality. Consequently, the proposal would not accord with Policy COM03 of the BLP.

Character and Appearance and Biodiversity

11. A hedgerow survey has not been provided to confirm the status of the hedgerow either side of the existing access, which is currently protected under the Hedgerow Regulations 1997. The appellant emphasises that to achieve the visibility splays the hedgerow would only need trimming back, and not removing. The details shown on the site access plan, confirmed by my observations on site, show that the hedgerow either side of the existing access is likely to have to be trimmed back considerably in order to achieve the required visibility splays. The depth of trimming required would, for significant stretches, be greater than, or at least up to, half the depth of the existing hedgerow. In the absence of any evidence to demonstrate otherwise, I consider such extensive trimming is highly likely to be detrimental to the future well-being of long stretches of the hedgerow which, in the long-term, would likely result in removal of at least stretches of it.
12. Hedgerows are commonly used as field boundaries in the area and as such are a significant feature that contribute positively to the area's character and appearance. I consider that the loss of significant stretches of the hedgerow would have a detrimental impact on the character and appearance of the area and would also result in a loss of biodiversity.
13. Policy ENV 06 of the BLP seeks to resist development that would result in the loss of protected trees or hedgerows. Policy ENV 05 of the BLP expects development proposals to contribute to, and where possible enhance, the local environment by recognising the intrinsic character and beauty of the countryside and maintaining the biodiversity qualities of natural features in the landscape, including hedges. Consequently, I conclude that the proposal would not accord with policies ENV 06 and ENV 05 of the BLP.

Need for Tourist Accommodation

14. Policy EC 07 of the BLP supports the enhancement and expansion of existing tourism attractions and infrastructure, in accordance with the development strategy, where this would: benefit the local economy, the environment and infrastructure can accommodate the visitor impact and proposals would be of a suitable scale and type for their location. I consider the proposal would, to a small degree, benefit the local economy, and that its type and scale would be

suitable to the location and not harm local infrastructure. As such, the principle of the proposal is acceptable.

15. The policy also states that, tourism related development of a scale that does not attract a significant number of visitors, which the proposal would not, should be of a scale and type that protects the character of the townscape and landscape within which it is situated. I have concluded above that the loss of significant stretches of the hedgerow would not protect the character of the rural landscape. As such, the proposal would not accord with Policy EC 07 in this regard.
16. In addition, Policy EC 07 requires all development proposals to be assessed against the extent to which they meet certain criteria, thus: bring regeneration benefits, particularly through the redevelopment of brownfield land; are accessible by sustainable modes of transport; offer the potential to improve access to rights of way and/or green infrastructure, and, in the case of proposals in the countryside, demonstrate the need for a rural location for that development.
17. The proposal would constitute redevelopment of brownfield land, present some opportunities for the use of modes of transport other than the private motor car and benefit the local economy. Therefore, the proposal would accord with Policy EC 07 with respect to these factors. Due to the small-scale nature of the proposal, it would not offer the potential to improve access to rights of way and/or green infrastructure.
18. With respect to the requirement of Policy EC 07 for proposals in the countryside having to demonstrate the need for a rural location, the appellant contends that sufficient information has been provided to demonstrate that there is a need for holiday accommodation in the area of the type proposed. In summary, the appellant considers that there are a range of visitor attractions within an approximate range of 8 to 39 miles from the site and several walking routes across the wider area, all of which would be accessible from the site. The appellant also explains that there is limited other accommodation available in the area and that which is available is aimed at eg families, larger groups, campers and caravanners.
19. Furthermore, it is suggested that the proposal would be aimed more at couples, thereby broadening the accommodation offer and not competing with what is already available. Given that a similar type of accommodation available in the village has received good reviews on social media, the appellant concludes that visitors are evidently attracted to the area. The appellant also suggests that additional visitors to the visitor attractions would support the area's employers and the economy.
20. Although such information may be broadly relevant to demonstrating the need for the proposal, I consider that the information is limited, does not focus on the local area and is not sufficiently robust. As such, I conclude that the need for the proposal has not been sufficiently demonstrated. Consequently, the proposal does not accord with Policy EC 07 in this regard.
21. Hence, in light of the above, I acknowledge the extent to which the proposal does accord with Policy EC 07 and the benefits as outlined. However, I conclude that the proposal does not accord, as a whole, with Policy EC 07 of

the BLP and the other considerations outlined do not outweigh the harm I have identified.

Other Matters

22. I note that, taking account of a range of factors, the Highway Authority considered that the proposed visibility splays would be an improvement on the current situation and as such the Highway Authority did not object to the proposal. I accept that an improvement to the existing visibility splays would be beneficial to existing site users. However, achieving the required visibility splays would be dependent on trimming back hedges on land either side of the site that isn't owned by the appellant. As no mechanism has been presented to me ensuring that this can be secured, I give little weight to the potential highway safety benefit of the proposal.

Conclusion

23. For the reasons outlined above, I conclude that the appeal is dismissed.

J Williamson

INSPECTOR