



Appeal Decision

Site visit made on 7 July 2020

by J Gibson BUEP MPIA

an Inspector appointed by the Secretary of State

Decision date: 8 September 2020

Appeal Ref: APP/V3310/W/20/3247220

Land West of Cutley Farm, Holloway Road, Middlezoy, Bridgwater TA7 0PF

- 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 Mrs K Rudge against the decision of Sedgemoor District Council.
 - The application Ref 34/19/00018, dated 21 November 2019, was refused by notice dated 7 February 2020.
 - The development proposed is for the erection of a single storey building to provide tack room, ancillary accommodation, external undercover storage for maintenance equipment for applicant's personal use.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The above description of development has been taken from the submitted appeal form as it is considered to be the most accurate description provided. The description provided on the submitted application form included unnecessary descriptions of previous uses on the appeal site and separate planning permissions. I have therefore determined the appeal as described in the heading above.

Main Issue

3. The main issue is whether the proposed development meets a demonstrated need and is of an appropriate scale to be located in the countryside.

Reasons

4. The appeal site forms part of a large rural property located within the open countryside, south of the settlement of Middlezoy and outside any defined settlement boundaries identified in the Sedgemoor Local Plan (LP) (adopted February 2019). Planning permission has been granted for the property to be used for personal equestrian use by the appellant, including the construction of a large hay barn and stable block¹. It appeared that this use had commenced on site as I observed during my site visit that the large hay barn and smaller stable block had been erected, with an enclosed concrete forecourt area linking the two buildings. The concrete forecourt was used as an enclosure for some horses already housed in the stable block. The permission also included the

¹ LPA Reference: 34/18/00007

formation of a manege to train horses, also for personal use, but this had not yet occurred at the time of my site visit.

5. The appeal site specifically encompasses the existing access arrangements and a partly constructed building in the same general location as the proposed building shown on the plans of development. The appellant describes the proposed building as serving an ancillary function to the existing equestrian buildings and the permitted equestrian use of the wider property for the storage of tack, maintenance equipment and other related paraphernalia.
6. Policy S2 of the Sedgemoor LP sets out the spatial strategy for the district to ensure that development occurs in the most sustainable locations. The policy specifies that countryside locations are not considered to be sustainable locations and as such seeks to appropriately control the type and scale of development in these areas, including where such a location is essential. The policy attributes this to the challenges faced in these areas in terms of environmental constraints (including landscape characteristics), accessibility to key services and sustainable transport options.
7. Policy CO1 of the Sedgemoor LP supports Policy S2, and reiterates that new development must demonstrate that there are specific countryside needs, enhancement of the environment or where a countryside location is essential or more sustainable, to be located in such areas. The policy provides examples of development that could be considered essential in a countryside location, including recreation and leisure facilities, but qualifies this by specifying that where this is the case proposals would be expected to contribute towards the local economy along with addressing the other challenges previously stated. The proposed additional building is intended to remain for personal use and would not therefore satisfy the economic test for it to be considered essential in this countryside location. As such, further consideration must be given to whether the scale of development is appropriate, and whether it meets a specific countryside need.
8. The existing built form and extent of development on the wider site is already of a considerable size, particularly given the limited scale of the equestrian activities for personal use only. Following the tests set out by Policies S2 and CO1, the additional building would have to be reasonably justified given the sensitivity of the location. Whilst the specific countryside need has already been demonstrated for the established hay barn, stable block and permitted manege, the same does not follow for the additional building proposed. In my view, the suggested countryside need has not been sufficiently justified to warrant the intensification of built form on the appeal site, particularly given the size of the proposed building, scale of the existing buildings on site and restrictions for personal recreational use. The additional building proposed would consequently equate to overdevelopment of the appeal site that would harm the open landscape characteristics of this countryside location in this context. Whilst the proposal would not result in sustainable transport movements, it would not wholly differ from the restricted movements for personal use already accepted under the extant permission and as such is not considered to be determinative in this regard.
9. In terms of the rationale and reasoning for the proposed building, I am not satisfied that the appellants case adequately addresses the potential reuse of the existing buildings on the wider property for the storage area and facilities

proposed. I note the appellants comments regarding existing insurance coverage being an inhibiting factor, however this does not in itself demonstrate that the large barn could not appropriately be used for the storage of the equipment and other facilities intended under this appeal, just that different insurance may be required. Notwithstanding this, the stated insurance concerns related specifically to the storage of vehicles and similar equipment in the barn, so it is conceivable that some equipment and facilities could have appropriately been stored in the barn with a smaller covered storage area proposed for vehicles externally.

10. Overall, the anecdotal evidence provided does not substantively demonstrate that the existing buildings could not be appropriately used for the storage of such equipment and facilities. On the evidence before me there is insufficient justification to demonstrate that a building of this size and use is necessary to support or complement the nature of the permitted equestrian use in this location. Furthermore, the provision of laundry/utility and drying facilities on site seem unjustified given the scale of the permitted equestrian use on the wider property being restricted to personal use only. The proximity of the appellant's residence to the appeal site also brings into question the need for such domestic facilities.
11. Accordingly, I do not find that there is a demonstrated need for the proposed construction of an additional building in this countryside location and would therefore amount to an inappropriate scale of development on this site, due to the limited scope of the existing use, which would harm the surrounding open landscape characteristics. It therefore conflicts with Policies S2 and CO1 of the LP.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

J Gibson

INSPECTOR