



Appeal Decision

Site visit made on 23 October 2020

by Colin Cresswell BSc (Hons) MA MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 October 2020

Appeal Ref: APP/F9498/W/19/3220361

East Harwood Stables, Harwood Lane, Timberscombe TA24 7UE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Alan Jones against the decision of Exmoor National Park Authority.
 - The application Ref 6/34/18/101, dated 19 January 2018, was refused by notice dated 24 July 2018.
 - The development proposed is described as 'erection of a dwelling for racehorse trainer and associated works'.
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Decision

1. The appeal is allowed and outline planning permission is granted for a development described as 'erection of a dwelling for racehorse trainer and associated works' at East Harwood Stables, Harwood Lane, Timberscombe TA24 7UE in accordance with the terms of the application, Ref 6/34/18/101, dated 19 January 2018, subject to the conditions set out in the Schedule at the end of this Decision.

Procedural Matters

2. The application was made in outline with all matters, except access, reserved for future determination. I have considered the appeal on that basis.
3. The Council has indicated that it wishes to withdraw the first reason for refusal listed on the Decision Notice (concerning the financial viability of the business). I have therefore determined the appeal solely on the basis of the second reason for refusal, which concerns the effect on the landscape.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal concerns a racehorse training business which is situated on a hillside in the open countryside. Apart from the two-storey barn and manège, there is little development within the confines of the site or in the immediate surroundings, which mostly comprise open fields. This is representative of the wider landscape, which is distinctly rural in nature and is mainly dominated by agricultural land, hedgerows and mature trees.

6. I am conscious that there are very few buildings at this elevation elsewhere in the local landscape and that the addition of a new dwelling alongside the existing barn would represent something of an anomaly. Furthermore, due to the elevation and openness of the site, the proposed dwelling would be visible in long distance views from within the surrounding countryside. Indeed, from some perspectives the development would be seen in the foreground of Dunkery Beacon and the associated moorland to the west.
7. However, the local topography and the presence of dense tree cover at the bottom of the hillside means that the dwelling would only be seen in the context of the surrounding countryside from some distance away. From these remote vantage points, the dwelling would be perceived as a relatively small and inconspicuous feature within the wider landscape. Although the dwelling would be physically separated from the main barn, this would not make the development appear unduly prominent. Sensitive design and potential use of landscaping may further reduce any visual impact.
8. From closer quarters, the dwelling would only come into full view when approaching the site at the very end of Harwood Lane. While there is a public right of way running behind the existing barn, the dwelling would not be easy to see from here due to the presence of a tall hedgerow.
9. I note that the Council has suggested positioning the dwelling closer to the existing barn to help consolidate built development on the site. However, for the reasons given above, the dwelling would have an acceptable impact on the landscape in the location currently being proposed. The potential for cumulative landscape harm would be a matter for consideration were similar proposals to be advanced elsewhere in this area in the future.
10. I therefore conclude that the proposed development would have an acceptable effect on the character and appearance of the area. There would be no conflict with Policies CE-S1 or CE-D1 of the Exmoor National Park Local Plan which aim to protect landscape and scenic quality. There would also be no conflict with Policy HC-D8 of the plan which refers to rural workers dwellings in the countryside and, amongst other things, aims to ensure that such dwellings are well related to other buildings on the holding. In reaching this decision, I have borne in mind Paragraph 172 of the National Planning Policy Framework which says that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks.

Conclusion and Conditions

11. For the reasons given above, the appeal should be allowed.
12. I have imposed the standard requirement for further details to be approved before development takes place, together with standard time limit conditions. To protect the character and appearance of the area there are conditions withdrawing permitted development rights for external lighting and extensions (which is also a requirement of Policy HC-D8). For similar reasons there is a condition requiring cables to be laid underground.
13. As the dwelling would be built as an exception to policies which restrict new housing development in the open countryside, a condition has been imposed which requires it to be occupied by a rural worker. Likewise, there is a condition to prevent the barn being used for residential purposes.

14. A condition has also been imposed requiring parking and turning space to be provided prior to the occupation of the dwelling. I note the appellant's comments on this matter, but the condition is imposed to ensure the safe movement of vehicles in and out of the site rather than to specify the number of parking spaces that should be provided.

Colin Cresswell

INSPECTOR

(Schedule of conditions attached)

Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The dwelling hereby permitted shall not be occupied until space has been laid out within the site for the parking and turning of vehicles. The details for parking and turning shall be submitted to and agreed in writing by the Local Planning Authority and once approved the works shall take place before occupation and thereafter be maintained for their designated purpose.
- 5) The occupation of the dwelling hereby approved shall be limited to a person or persons solely or mainly working, or last working, in the locality in agriculture (as defined in Section 336(1) of the Town and Country Planning Act 1990), or to a person or persons solely or mainly working, or last working in equestrian business based at the stables adjacent to the application site and shown in the blue outline on the plans submitted in support of the application.
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions to the dwelling hereby permitted shall be erected without the prior permission, in writing, of the Local Planning Authority.
- 7) Any gas, electricity, water, sewage, telephone and cabling services to the building shall be placed underground.
- 8) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting those Orders with or without modification), no external lighting shall be installed on the residential unit hereby approved unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 9) The use of the existing stable building for residential accommodation shall cease prior to the substantial completion or first occupation, whichever is the sooner, of the dwelling hereby approved.