



Appeal Decision

Site visit made on 8 July 2020

by S Thomas BSc (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 February 2021

Appeal Ref: APP/D0121/W/20/3246423

2 Church Cottages, Christon, North Somerset BS26 2XX

- 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 and Mrs Field against the decision of North Somerset Council.
 - The application Ref 19/P/2073/FUL, dated 15 August 2019, was refused by notice dated 1 November 2019.
 - The development proposed is described as "proposed change of use of land to Equestrian. Regularisation of barn. Proposed manege and landscaping works".
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Decision

1. The appeal is dismissed insofar as it relates to the construction of the manege and landscaping works. The appeal is allowed insofar as it relates to the change of use of land from agricultural to equestrian use and the replacement barn and adjacent container at 2 Church Cottages, Christon, North Somerset BS26 2XX. This is in accordance with the terms of the application 19/P/2073/FUL, dated 15 August 2019, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted in so far as it relates to the change of use of land from agricultural to equestrian shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted, in so far as it relates to the change of use of land from agricultural to equestrian use and the replacement barn and adjacent container, shall be carried out in accordance with the following approved plans: Location Plan Drawing No 19/270/1000, Barn Proposed Details Drawing No 19/270/101a, Site Plan Drawing No 19/270/500.
 - 3) Prior to the implementation of the change of use of land to equestrian, a timescale for the completion of the new roof and gates to conceal the container as set out in Drawing No 19/270/101a shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented thereafter in accordance with the agreed timescale.

Procedural Matters

2. Notwithstanding the description of development above which is taken from the application form, it is clear from the plans and accompanying details that the development comprises the *change of use of land from agricultural to equestrian use, construction of manege and landscaping works and replacement barn together with adjacent container*. The replacement barn and

adjacent container are in situ at the site and this part of the proposed development is retrospective. However, at the time of my visit, the roof and gates to conceal the container had not been commenced.

3. Planning permission¹ was previously granted for the siting of a manege to the north of the site and change of use of the land to equestrian. Whilst the Council may be supportive of a similar scheme for a manege to the north of the site, the appellant considers the siting subject of this scheme would be more visually acceptable. The Council indicate the site has an established equestrian use, and the principle of equestrian use at the site does not appear to be an area of dispute between the parties. Neither is the replacement barn and adjacent container.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area including the effect on the Mendip Hills Area of Outstanding Natural Beauty (AONB).

Reasons

5. The proposed site comprises fields sloping down from Banwell Road together with a barn and container to the north west corner of the site, which have been erected without the benefit of planning permission. The long and undulating nature of the site and the surrounding fields create an undeveloped character that contributes to the attractive open landscape in this rural settlement within the AONB.
6. The manege would be sited adjacent to a hedgerow that has been planted at the southern end of the site. From the evidence before me, this boundary has been in place since 2012 and forms part of the character of the area. Nevertheless, the hedgerow is not so substantial as to affect long range views and it does not appreciably disrupt the rolling landscape character.
7. However, given the slope of the land across the site, there would be a substantial excavation required to achieve a flat surface for the manege. Given this, whilst one corner will be cut into the ground it is evident from the section drawings² the opposite corner of the manege will be raised by approximately 1m from the existing ground level. Considering the large size of the manege, its elevated siting at its southern edge above the hedgerow and the associated perimeter fencing it would be particularly prominent. The associated landscaping to the northern boundary of the manege would further break up the field and given the detached nature of the manege from existing buildings, it would intrude into and disrupt views of the long undeveloped fields.
8. The proposed manege would be sited approximately 30m away from the existing farm buildings. The grassed access track to serve the manege would be suitably sited adjacent to existing boundaries and would not be unacceptable. However, the distance from the existing buildings and the significant level change would lead to the manege appearing isolated from the group of buildings and prominent in the landscape. Whilst I note the proximity to the winter turnout yard, this is sited at a higher level and relatively well screened on its boundary facing the proposed manege. Accordingly, the

¹ 12/P/1087/F

² Drawing No 19/270/52

existence of this does not reduce the prominence or the perceived isolated siting of the manege.

9. Whilst I do not have the full details of the previous application to the north of the site before me, this area of the site appeared less steep and would require a more limited excavation to form a flat surface. Furthermore, the siting would appear more integrated with the existing buildings given the proximity and the levels. Whilst the manege would clearly be more prominent from views along Banwell Road adjacent to the site, it would be viewed in association with existing structures. It would not have the same isolated appearance and visually intrusive effect on the landscape as the proposal before me.
10. The appellants' have included numerous photographs of various vantage points; however, the exact position of where these were taken is not clear. I accept that due to its siting and the existence of vegetation, the proposal would not be harmful from views along the M5. However, the proposal would be visible in certain long-range views from the south. In this regard, whilst the northern part of the site is higher, any proposed manege to the north of the site would be seen in the context of existing buildings and would appear more integrated with existing built form. Whilst at a lower level, the proposed manege to the south would be visible above the hedge line and crucially would appear isolated within the field away from existing development and would be a visual intrusion within the field from certain long-range views to the south.
11. Consequently, the proposed manege and landscaping would cause harm to the character and appearance of the area including the AONB. Accordingly, it would be in conflict with Policies CS5 and CS12 of the North Somerset Core Strategy (2017) and Policies DM10, DM11 and DM32 of the North Somerset Sites and Policies Plan – Part 1 (2016). Amongst other things these policies seek that development protects and enhances the character of North Somerset's landscape, are carefully integrated into the natural environment whilst minimising landscape impact, and development should conserve and where possible enhance the scenic beauty of the of the AONB with particular attention given to the siting of proposed development.
12. It would also be in conflict with the Guidelines for Horse-related development in the Mendip Hill AONB Supplementary Planning Guidance (Revised 2012) and the North Somerset Landscape Assessment Supplementary Planning Guidance (2018). Amongst other things, these documents seek that new horse related development should preferably relate to an existing group of buildings or be sited as inconspicuously as possible and the siting of a manege should be on a flat surface to limit excavation. It also states there should be a focus on conservation of the remote and rural nature of the pastoral landscape and minimise the encroachment of visually intrusive land uses.
13. Furthermore, the proposed manege and landscaping would conflict with Paragraph 172 of the National Planning Policy Framework which indicates that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty.
14. The use of land for Equestrian purposes forms part of this attractive open area. I also observed horses grazing in the fields to the south of the appeal site. Considering this, I do not consider equestrian use of the whole site would result in harm to the character and appearance of the area nor the AONB. In addition, the constructed barn is of a sympathetic appearance and materials that

integrates into the established landscape character. Whilst the existing container is an incongruent feature in this setting and detracts from the scenic beauty of the area, the proposed structure that would conceal the container would tie into the barn and would be sensitive to local character. Consequently, these aspects of the proposal are acceptable, and are not in conflict with the above development plan policies and the SPD's.

Other Matters

15. The site lies outside but immediately adjacent to the boundary of the Christon Conservation Area (CA). Similarly, the site lies within the setting of St Mary's Church; a Grade I Listed Building (Listed Building). Both parties agree that there would be no harm to these heritage assets from the proposed development. Based on the evidence before me and my observations on site I have no reason to take a different view.
16. I note the equestrian facilities to the west of the site which are visible and prominent in long distance views. However, these appear visually related to existing buildings as part of a complex of development and not isolated which would not be the case in the proposal before me. Whilst reference is made to a planning application for equestrian uses to the south and west of 1 Church Cottages, I do not have the details before me to assess the relevance to this appeal.
17. I have taken into account the appellant's comments regarding the decision-making process by the Council. However, this is not relevant to my determination of this appeal. I have assessed the appeal based on the evidence before me and from my own observations on site.

Conditions

18. I have considered conditions in light of paragraph 55 of the National Planning Policy Framework and the advice in the Planning Practise Guidance. As the barn and container is part retrospective, I have not imposed the standard time limit condition. In the interests of certainty, it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans. I have imposed a condition to secure the timeframe for the completion of works in relation to the roof and gates to screen the container. This is necessary to ensure this part of the proposal is implemented in the interests of the character and appearance of the area and the AONB.

Conclusion

19. For the above reasons, the appeal is dismissed insofar as it relates to the construction of the manege and landscaping works. The appeal is allowed insofar as it relates to the change of use of land from agricultural to equestrian use and the replacement barn and adjacent container.

S Thomas

INSPECTOR