



Appeal Decision

Site visit made on 22 April 2025

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 April 2025

Appeal Ref: APP/F9498/W/24/3352269

Chapel Knap, Porlock Weir, Minehead TA24 8PA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Christopher Lister against the decision of Exmoor National Park Authority.
 - The application Ref is 6/27/24/006.
 - The development proposed is described as 'change of use of existing ancillary garden building to a Holiday Let'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development differs between the application form, the Authority's Decision Notice and the appeal form. I have taken the description from the application form, as this is the basis on which the application was made. Different addresses for the site are also used, some referring to 'Chapel Knapp'. However, as the application form, plans and the appellant's Statement of Case use 'Chapel Knap', I shall adopt this spelling. I have otherwise taken the address from the appeal form, which appears to be more accurate. I am satisfied that no party would be prejudiced as a result.

Main Issues

3. The main issues are:
 - whether adequate and appropriate vehicle parking would be provided for the proposal, and
 - whether the proposal would accord with the spatial strategy of the Authority for this type of development.

Reasons

Parking

4. The proposal seeks to use an existing building as a holiday let. The building is located on land associated with Chapel Knap, a dwelling. Although aimed at individuals and couples, the appeal building would have the potential to accommodate up to four people. Two other buildings associated with Chapel Knap, The Coach House and The Stable Block, are used for holiday accommodation.

5. Policy AC-D3 of the Exmoor Local Plan (ELP), adopted July 2017, allows development where it would make appropriate provision for parking, guided by the standards set out in Table 9.1. This requires residential units such as the proposal to provide two vehicle spaces. There is no dispute that sufficient on-site parking and turning space is necessary. An existing parking area, accessed from Worthy Toll Road, would serve the proposal. The appellant states that this provides space for at least four cars, and is not required to serve Chapel Knap.
6. However, despite a request from the Highway Authority, no detailed information about the space available within the parking area, such as tracking data, has been provided. The area is bounded by low walls and vegetation, and currently contains some built form. On the limited information before me, I cannot conclude that there is enough room within the application site for two vehicles to park, together with space for them to manoeuvre into and out of the site safely, as well as space for covered cycle parking and electric vehicle charging points.
7. The Coach House and The Stable Block have another area used for parking, albeit outside of the application site. Nevertheless, I have little substantive evidence to show that the parking requirements of these properties and Chapel Knap itself, together with the proposal, could all be met within the areas available.
8. Consequently, I am not satisfied that adequate and appropriate vehicle parking would be provided for the proposal. It would therefore be contrary to ELP policy AC-D3, as well as ELP policy AC-DC1, which requires demonstrably safe and sustainable modes of transport, including cycle parking and vehicle charging. I give this conflict substantial negative weight in the planning balance.

Spatial Strategy

9. ELP Policy RT-D4 relates to non-serviced accommodation, such as the proposal. The policy only supports the change of use and conversion of buildings where, relevant to the appeal, they involve the creation of an additional unit as part of an existing self-catering complex. These are defined in its supporting text as properties with more than one holiday let unit controlled by an occupancy condition.
10. Whilst recognising the limitations of planning control, the policy refers to the adverse effects on the vitality of smaller settlements where a high proportion of existing dwellings are used as holiday homes. I understand that the reference to occupancy conditions in the definition of complexes (paragraph 8.38) is to prevent the policy aims from being circumvented by the creation of holiday units on sites where planning permission has not been granted by express consent.
11. There is no dispute that the complex here has more than one holiday let unit, including The Coach House and The Stable Block, but that none are controlled by a holiday occupancy condition. As such, the proposal would not accord with ELP Policy RT-D4 and its supporting text. However, it is also not in dispute that the existing holiday let business here is well established. Furthermore, the proposal would not involve the loss of an existing dwelling, but of what is described as an ancillary outbuilding. Accordingly, there is little reason to believe that it would result in the adverse community effects referred to by the policy.
12. For the reasons given above, the proposal would not accord with the spatial strategy of the Authority for this type of development, conflicting with ELP policy

RT-D4. That said, also for the reasons given, I give this conflict only limited negative weight in the planning balance.

Other Matters

13. The proposal would encourage more visitors to the area, who would be likely to support local businesses and provide other economic advantages. However, as only one additional unit of accommodation is proposed, I give this only moderate positive weight in the planning balance. As such, the adverse impacts of the proposal would significantly and demonstrably outweigh its benefits.
14. The lawfulness of the appeal building and its use has been questioned by the Authority. However, I am considering the proposal as a change of use, as described above. As such, the lawfulness of the building is not a matter for my consideration.

Planning Balance and Conclusion

15. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case, and the weight I give to them, do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR