



Appeal Decision

Site visit made on 12 June 2025

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 January 2026

Appeal Ref: APP/F9498/W/24/3350731

**Unit 6, Middle Burrow, Burrow Road, Timberscombe, Minehead, Somerset
TA24 7UD**

- 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 Adrian Giblett against the decision of Exmoor National Park Authority.
 - The application Ref is 6/43/24/001.
 - The development proposed is a proposed change of use of the barn known as North Barn (ancillary use) to holiday accommodation.
-

This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes the decision issued on 8 July 2025.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have determined the appeal on the basis that retrospective permission is sought for the change of use which has already been implemented.
3. I have used the description of development as provided on the Authority's decision notice as this summarises the proposal more concisely.

Main Issue

4. The main issue is whether the change of use would be appropriate, taking account of development plan policies.

Reasons

5. Middle Burrow currently comprises three ancillary bed and breakfast rooms associated with the main dwellinghouse, and one holiday cottage. The proposal seeks to formalise a change of use of an existing barn, identified by the appellant as Unit 6, so that it can also be used for holiday accommodation.
6. Policy RT-D4 of the Exmoor National Park Local Plan 2011 – 2031 (the LP), which concerns non-serviced accommodation, is the most relevant policy for the determination of this appeal. It states that proposals for the change of use and conversion of buildings to non-serviced accommodation will be permitted should the requirements of any one of four criteria be met.
7. Part 1(a) of the policy relates to the creation of additional units on an existing self-catering complex. Paragraph 8.38 notes that this is defined as a property where

there is more than one holiday let unit with a holiday occupancy condition. Even if the existing cottage was considered to meet that requirement, there is not more than one such facility at Middle Burrow.

8. Part (b) refers to changes of use from serviced accommodation and is therefore not relevant to this appeal. Part (c) relates to the re-use of a redundant building associated with a hotel or guesthouse. In the case of Middle Burrow, the arrangement is a main dwellinghouse with three ancillary rooms for bed and breakfast use. It is therefore not a hotel or guesthouse. I note that the appellant's agent, in an email to the Authority on 3rd April 2024, agreed that the proposal would not conform with Parts (a), (b) or (c) of the policy.
9. Part (d) enables the diversification of a rural land-based business where the building is well related to an existing grouping of buildings. The glossary to the LP states that rural land-based businesses are those that manage the land in a way that conserves the National Park's special qualities. It then goes on to explain that they can be defined as farming enterprises based on primary food production, rural estates, forestry, mixed enterprises such as equestrian activities or game shooting, and other businesses that manage the land for conservation or recreation.
10. I acknowledge that Middle Burrow previously supported a large farm, and that the buildings are associated with this former use. I also accept that the appellant looks after their property and land, and that holiday guests enjoy staying there. However, I simply cannot conclude that this use falls within the definition set out within the LP which is centred around specific countryside related activities rather than the provision of general tourist accommodation.
11. I therefore conclude that the change of use would conflict with LP Policy RT-D4, which in part, seeks to control the re-use of buildings for non-serviced accommodation.

Other Matters

12. Part of the reason for restrictive policies, such as RT-D4, is to keep open the possibility of such buildings being used for other purposes such as affordable housing or as business units. The appellant has briefly set out why alternative uses may not be feasible in this case, including the remote location, lack of utilities, increase in traffic and the living conditions of neighbouring occupiers. The appellant has also sought to draw my attention to an appeal decision¹ wherein the Inspector concluded that the lack of reasonable alternatives to the use of a building for holiday accommodation was an issue that outweighed the identified policy conflict.
13. I do not have the full details of that appeal available to me, and it is therefore unclear what evidence the Inspector was presented with in terms of the potential for other uses. With regards to the appeal before me, I do not consider that I have compelling or particularly substantive evidence that would lead me to conclude that alternative uses are unlikely to be feasible. Indeed, beyond some very brief reasoning, it is unclear to me why the appellant considers that Unit 6 is suitable for use as holiday accommodation, but not suitable for any other use.

¹ APP/F9498/W/15/3070037

14. The appellant's Design and Access Statement sets out that the Authority have informed them that the use of Unit 6 for holiday accommodation is unlawful. Indeed, the Authority's officer report notes that permission was previously granted² in 1988 for the creation of eight holiday units but that the permission was never implemented. The appellant has refuted that Unit 6 cannot be lawfully used for bed and breakfast accommodation, including by providing evidence of previous advice received from the Authority. Determining whether such a use is, or is not, lawful clearly falls outside of the remit of this appeal, and I do not provide any conclusions on that issue either way. However, in so far as it is relevant to this appeal, and based purely on the evidence before me, it seems to me that I do not have certainty that Unit 6 can be lawfully used for bed and breakfast purposes. As such, its potential as a fallback position is not determinative in this case.
15. Paragraph 189 of the National Planning Policy Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty within National Parks. Furthermore, the Levelling Up and Regeneration Act 2023 requires decision makers to actively seek to further the purpose of conserving and enhancing natural beauty within National Parks. Given that the change of use would not involve any external changes to Unit 6, it is clear that these requirements would be met.

Conclusion

16. The change of use conflicts with the development plan when considered as a whole. Whilst the use of the building as holiday accommodation would have some economic benefits for the local area, and would make use of the existing building, the small-scale nature of the scheme means that any such benefits are likely to be very limited. Accordingly, there are no material considerations, either individually or in combination, that outweigh the identified development plan conflict. The appeal is therefore dismissed.

C Butcher

INSPECTOR

² Authority ref: 6/43/87/109