



Appeal Decision

Site visit made on 12 April 2021

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th April 2021

Appeal Ref: APP/W1850/W/20/3264948

Ripplewood Stables, Collington, Bromyard, HR7 4NA

- 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 Karina Badman against the decision of Herefordshire Council.
 - The application Ref 202693, dated 17 August 2020, was refused by notice dated 20 October 2020.
 - The development proposed is described as *"temporary stationing for three years of a mobile home in association with existing and established Show Pony Enterprise"*.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has submitted a Unilateral Undertaking ('UU') in relation to the occupancy of the dwelling in association with the existing business. The UU is signed and dated, and I have taken it into account in reaching my decision.

Main Issue

3. The main issue is whether there is an essential need for a new rural worker dwelling in this location.

Reasons

4. The development proposes a new dwelling in the open countryside next to an existing stable block. This would be in a remote location, some distance away from the nearest settlement of any size. In my view it would clearly represent an isolated home in the countryside for the purposes of paragraph 79 of the National Planning Policy Framework ('the Framework'). This states that planning decisions should avoid the development of isolated homes in the countryside unless one of a number of specific circumstances apply. One such circumstance is where there is an essential need for a rural worker to live permanently at or near their place of work.
5. Policy RA3 of the Herefordshire Local Plan Core Strategy (2015) also seeks to restrict new residential development in the countryside unless certain criteria are met, including proposals that comply with Policy RA4. This latter policy states that new dwellings associated with rural enterprises will be permitted where it can be demonstrated that there is a sustained essential functional need for the dwelling. It further states that where evidence of the economic

- sustainability of the rural enterprise is not proven, or where the enterprise is not yet established, temporary planning permission may be granted for up to 3 years to enable the sustainability of the enterprise to be assessed.
6. Even in cases where a temporary consent is sought, Policy RA4 requires that an *"essential functional need for the dwelling"* is demonstrated. In this regard, there is only limited information before me about the extent and nature of the existing business, or how long it has operated for. Whilst 4 supporting emails have been submitted, these contain little detail and do not shed any light on the number of horses stabled at the site, nor the extent of any livery services offered by the business. Moreover, little justification has been submitted to explain why an overnight presence is essential in relation to the welfare of these horses, including what, if any, negative effects arise from the current situation. It is also unclear why it is essential for this business to have an onsite presence given that the previous equestrian business was able to operate without an onsite dwelling.
 7. It is further asserted that an overnight presence is necessary in the interests of security. In this regard, the previous owner states that they were broken into on at least 4 occasions prior to the sale of the site, although only limited details have been provided in this regard. It is also unclear whether other commercial security systems have been fully explored that may be able to provide an appropriate level of security. Accordingly, I am unable to conclude that a new dwelling is justified on security grounds.
 8. For the above reasons, I conclude that it has not been demonstrated that there is an essential need for a new rural worker dwelling in this location. The development is therefore contrary to Policies RA3 and RA4 of the Herefordshire Local Plan Core Strategy. These policies seek, amongst other things, to restrict new residential development in the open countryside. The development would also be at odds with paragraph 79 of the Framework.
 9. The appellant states that the policies in the Herefordshire Local Plan Core Strategy are now of some age and are currently under review. However, paragraph 213 of the Framework states that existing policies should not be considered out-of-date simply because they were adopted prior to its publication. In this regard, the appellant has not highlighted any specific inconsistency between Policies RA3 and RA4 and the provisions of the Framework, and it is not clear that any significant inconsistencies exist. Moreover, from the information before me, it is unclear at what stage the review of the Core Strategy has reached or whether it proposes any significant revisions to the current policy approach.

Other Matters

10. The Delegated Report states that the Council is currently unable to demonstrate a 5 year supply of deliverable housing sites. I return to this matter in my overall balance and conclusion, below.
11. The development would have limited visibility from the surrounding area and would be well screened by existing hedgerows and planting. Accordingly, it would not significantly harm the character and appearance of the countryside.

12. It is asserted that the development comprises a rural farm diversification scheme. However, given that the proposal relates to an equine use and the land was previously used for these purposes, it is not clear that this is the case.

Overall Balance and Conclusion

13. As set out above, it has not been demonstrated that there is an essential need for a new rural worker dwelling in this location. The introduction of an isolated home in the countryside, with poor accessibility to services and facilities, would therefore be contrary to Policies RA3 and RA4 of the Herefordshire Local Plan Core Strategy, and paragraph 79 of the Framework.
14. Set against this, the development would provide a new temporary dwelling, the necessity for which is unclear. In these circumstances, the adverse impacts of granting planning permission, even on a temporary basis, would significantly and demonstrably outweigh the benefits. Accordingly, the material considerations in this case do not indicate that the proposal should be determined other than in accordance with the development plan.
15. For the reasons given above I conclude that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR