

# **Clatworthy Parish Council**

**Minutes of the meeting held on 19 October 2017 at 7.30 in Clatworthy Village Hall**

## **Present**

S.Moran (Chair), S.Branfield, A.Cowling, M.Deer, J.Ward, N.E.Martin (Clerk)  
S.Dalgleish, a member of the public, who was invited to join the discussion.

## **1. Apologies**

Apologies received from: C.Giddings, S.McIntosh, F.Nicholson (Somerset County Councillor), K.Turner (West Somerset District Councillor),

There was a single agenda item.

## **Review of Full Planning Application 3/06/17/002**

Change of use of agricultural land to equestrian, erection of 1 stable/barn and 1 field shelter with formation of access track on land at unnamed road, Mill Lane to Scotts Hill, Clatworthy.

## **Background**

The land in question comprises the two fields between Clatworthy and Huish Champflower, which were recently sold. The new owners want to erect a stable and a field shelter and are applying for 'change of use'. The 'change of use' raised a number of questions which were referred to SALC as follows:

1) Why are they applying for change of use when they could equally keep horses on agricultural land?

Firstly, the erection of any equestrian building on agricultural land requires a change of use and, possibly, planning consent. The following explanation from Clarke Willmott solicitors explains it very concisely: *"Many agricultural landowners are unaware of the distinction between agricultural use of land and equestrian use of land. 'Agriculture' is defined as: "horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur; or for the purpose of its use in the farming of land) the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes."*

The only equestrian "use" that falls within the agricultural definition is:- producing horses for slaughter, working horses on the land (e.g. ploughing with horses which is a rare sight today), and turning horses out for grazing only. The most common form of agricultural equine use is grazing horses on land. However, as soon as more is being done to the horses than merely grazing, for example additional feeding on the land, rugging the horses and/or riding them on the land, use falls within "equestrian use." The landowner must then apply to his/her local planning department for a change of use from agriculture to equestrian."

2) What rights accrue to 'equestrian use' that are not available to 'agricultural'? Is it easier to apply for further changes? Is it easier to add other buildings? Dwellings?

It would not make it any easier to apply for another change of use. Any future buildings would most likely need further planning consent. It would certainly not make it any easier to erect a dwelling on the land.

3) Should we object to loss of agricultural land in a parish which depends for its livelihood almost entirely on agriculture?

This is very much a matter for the council to decide. If there is a perceived shortage of agricultural land in the parish, then it may well be a local consideration. However, this would need to be clearly evidenced. It is fair to say that in recent years, farm diversification has been both common place and in some cases essential to the long-term viability of farming. Is this development for personal or business use? I also live in an area of the county that has a strong farming community. In my own parish, we have had a couple of these applications in recent years - one for personal use and one with some commercial elements (stabling of other

people's horses); neither has caused any issues at all. I would normally expect applications of this nature to be permitted.

4) Would it be possible to reverse the change of use as easily?

Yes.

In addition, the application did not accord with the reason given to the sellers for buying the fields and it is noted that work has already been carried out to enlarge the gateway to the field on a scale that some feel is out of proportion to requirements for the erection of simple buildings for equestrian purposes. Before and after photos, taken by a parishioner were available for examination.

### **Discussion**

Substantial concern was expressed by all present about this application. The details of the plan for the 'barn' were inappropriate for the declared use; the proposed construction of a track was unnecessary and would increase run off from the fields onto the road and into the Tone; keeping horses on the site would involve a daily increase in local traffic (the applicant lives in Watchet) and the development, which is in direct contravention of the new Local Plan, could set a precedent for future applications for further development of this site and/or for additional similar developments in the area.

In consideration of these points it was unanimously agreed that the Clerk should write to the District Council Planning department objecting to the granting of this application.

**Action: N.E.Martin**

It was also agreed that anyone who wished to expand on these points, or add their own, should be encouraged to write directly to the Planning Department in person.

There being no other business, the meeting closed at approximately 8.30 pm.

A copy of the letter written on behalf of the Parish Council is distributed with these minutes.