
Appeal Decision

Site visit made on 22 November 2016

by Colin Cresswell BSc (Hons) MA MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 December 2016

Appeal Ref: APP/H3320/W/16/3155257

Grooms Cottage, Minehead to Williton Road, Old Cleeve TA24 6HQ.

- 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 Willis against the decision of West Somerset Council.
 - The application Ref 3/26/16/012, dated 22 April 2016, was refused by notice dated 15 June 2016.
 - The development proposed is described as "demolish the existing dwelling known as Grooms Cottage and erect a replacement 3 bedroom dwelling to the rear of Woodhey".
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The West Somerset Local Plan to 2032 was formally adopted during the course of the appeal process. I have therefore determined this appeal in accordance with the policies of this plan.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is a relatively large area of land situated towards the rear of the Dragon House, a Grade II Listed Building. It contains a number of small buildings set amongst trees and open spaces, including Grooms Cottage which is a small, single storey dwelling with a timber clad exterior. As the cottage is well set back from the road and situated in a valley, it is not easily seen from public vantage points. Although the cottage can be seen from nearby agricultural land, it is nonetheless inconspicuous within the wider landscape due to the topography of the area and the presence of boundary vegetation. Taken as a whole, the site maintains distinctly open and verdant appearance, consistent with its location within a predominantly agricultural area.
 5. It is proposed to permanently remove Grooms Cottage and replace it with a substantially larger two storey dwelling. This would be situated on a more elevated part of the site, immediately adjacent to an open agricultural field. Due to the height of the land, this part of the site is more visually exposed than that in the immediate vicinity of Groom's Cottage. A two storey dwelling of
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the scale proposed would be clearly visible from within the neighbouring agricultural field and in longer distance views within the surrounding rural landscape. Whilst I recognise that the proposed dwelling would be well separated from the nearest public vantage points, the intrinsic beauty of the countryside is also experienced from the private domain. Apart from the agricultural land to which it would adjoin, parts of the proposed dwelling would also be visible from properties further to the north-west. Even at distance, the dwelling would noticeably add to the quantum of built development in a part of the countryside which is characterised by open, undeveloped spaces.

6. Although the new dwelling would be positioned close to the rear of Woodhey, which is at a similar ground level, the gap between the two properties would be relatively substantial. In longer distance views, the new dwelling would therefore be read as an isolated property rather than being part of an established cluster of development associated with Woodhey, which is positioned closer to the A39 together with Martlets and the Dragon House. Consequently, the proposed dwelling would have the effect of visually extending built development further into the countryside. It would therefore cause incremental harm to the predominantly open and rural characteristics of landscape in this particular location.
7. There is some disagreement between the parties as to whether the site of the proposed dwelling forms part of the rear garden space of Woodhey. However, even it were to be considered as being within the rear garden, I have found that the two-storey dwelling being proposed would erode the prevailing character and appearance of the area. The appellant argues that domesticated buildings and structures could be erected on the site without the need for planning permission. However, in my estimation, any such buildings would not be as substantial as the proposal before me now and would therefore have a less harmful effect on the wider landscape. Although the National Planning Policy Framework encourages the re-use of previously developed land, residential gardens are excluded from the definition in Annex 2.
8. The proposed dwelling would have a timber clad exterior. Although the Council argue that this would not be representative of the prevailing design of buildings in the area, I agree with the appellant that architectural styles are mixed in the immediate vicinity of the site. Furthermore, the proposed dwelling would be physically separated from other properties within the wider landscape and hence the timber cladding would not be easily seen within the context of more traditionally designed buildings. I therefore consider the architectural style of the proposed dwelling to be acceptable. Due to the visual separation from the Dragon House, I also consider that the proposal would have little impact on the setting of the Listed Building.
9. I recognise that Grooms Cottage is of no particular architectural merit and a modern dwelling has the potential to offer improved living conditions, including a more energy efficient design. However, such improvements could also be achieved by less harmful forms of development. The appellant argues that a replacement dwelling could not be situated near the existing location of Grooms Cottage as it would require the felling of a mature oak tree. Whilst I recognise that this tree makes a valuable contribution to the local setting, the impact of removing it would be somewhat less harmful than the proposal before me in this appeal. While it has been argued that there is no mains sewer near Grooms Cottage, there is little evidence to suggest that an engineering solution

could not be found if it were subsequently decided to build a replacement on this part of the site.

10. In reaching this decision, I have had regard to the previous planning permissions¹ referred to by the appellant. However, these are now somewhat dated and I have been given relatively few details of the circumstances under which they were granted permission or what policies were in force at the time. As such, I do not consider that they establish a convincing precedent in support of the proposal before me in this appeal.
11. I therefore conclude that the proposed development would have a harmful effect on the character and appearance of the area. There would be conflict with policy NH13 of the West Somerset Local Plan to 2032. Amongst other things, this aims to protect the distinctive character of areas. For the above reasons, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Colin Cresswell

INSPECTOR

¹ 3/26/98/035 and 3/26/97/033