

Appeal Decision

Site visit made on 24 January 2017

by JP Sargent BA(Hons) MA MRTPI

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

Decision date: 3 February 2017

Appeal Ref: APP/R3325/W/16/3160614

The Stables, Old Road, Higher Odcombe, Yeovil BA22 8XA

- 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 B Spearing against the decision of South Somerset District Council.
 - The application Ref 16/01781/FUL, dated 21 April 2016, was refused by notice dated 29 June 2016.
 - The development proposed is the conversion of the workshop and store to a residential dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are
 - a) whether there is a 5 year supply of deliverable housing sites;
 - b) the effect of the development on the character and appearance of the area and whether it would preserve the setting of the Odcombe Conservation Area; and
 - c) whether this would constitute a sustainable location for a new dwelling.

Reasons

Housing land supply

3. The Appellant said he understood the Council was unable to demonstrate a 5 year supply of deliverable housing land, and the Council accepted it could only demonstrate a supply of 4 years and 2 months. Therefore paragraphs 49 and 14 of the *National Planning Policy Framework* (the Framework) are engaged.
4. The proposal would go some way to addressing this shortfall, and this would be a benefit of the scheme that should be given significant weight. However, numerically any such contribution from the provision of one house would be very limited and so it can be only a moderate benefit at most.

Character and appearance

5. The villages of Higher and Lower Odcombe are separated by a relatively narrow area of fields and public open space. The Appellant's land lies in this area of separation, and being outside of any designated Rural Settlement it is in the countryside. It comprises a paddock with a stable block and a workshop adjacent, and it has permission to be used for equestrian purposes. The stables are of a
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timber construction, while the workshop is a blockwork building with 3 large garage doors on the stone-clad front elevation, and timber boarding on the remaining elevations. No horses were on site when I visited and the paddock appeared overgrown.

6. Policy EQ2 in the *South Somerset Local Plan (2006-2028)* seeks to ensure new development promotes local distinctiveness and preserves or enhances the character or appearance of the District. However, while this policy is not directly related to housing to my mind its requirement for development to conserve the landscape character of the area and promote local distinctiveness in effect restricts the locations where housing could be developed. I have therefore treated it as being out-of-date.
7. The Framework identifies as a core planning principle the recognition of the intrinsic character and beauty of the countryside. It adds that new isolated homes in the countryside should be avoided unless they would reuse redundant or disused buildings and lead to an enhancement of the immediate settings. It also states that planning decisions should integrate new development into the built and historic environment.
8. No works are proposed to the stables, and although they would be in the curtilage of the proposed property, I have nothing before me to show they could not continue to serve an equestrian use. Moreover, the paddock is excluded from the application site and it has not been stated how it would be used in the future.
9. The appeal therefore concerns just the workshop, which was built following the grant of planning permission in 2003. While the Appellant said it was used to store machinery and be a workshop in connection with the stables, given its relatively large size it is unclear from the submissions as to the role it played in the operation of the overall site. There were some allegations that it did not accord with what was permitted but that is not a matter before me. I consider it now has an industrial character because of its large doors, and while houses are nearby, it is distinct and separate from surrounding built form and so, in that sense, it is isolated. The Appellant contended it was unused and at the time of my visit that seemed to be the case, with it containing only casual limited domestic storage. The Council said it had not been shown other uses were not possible but no policy requirement for such a stance was highlighted.
10. The insertion of windows into the workshop and the replacement of the garage doors with openings that were more domestic in nature would enhance the immediate setting and have no direct effect on the sense of separation that currently exists between these 2 villages.
11. However, a large garage extension is also proposed to one end, which would have a gabled roof with a ridge the same height as the existing. I see no justification for a garage of this size. While the Appellant has said it was to store paraphernalia to serve the horses, the nature and scale of that or the likelihood of the equestrian use resuming have not been stated, while the opportunity for such storage within the building clearly exists at present. I consider this would be an appreciable and proportionately significant addition that would further emphasise the presence of built form. As a result, even though within the existing cluster of buildings, it would detract from the character and appearance of the surroundings and reduce the separation between Higher and Lower Odcombe. I accept that the workshop is, at present, substantially concealed from footpaths and roads, but I see no basis for protecting the countryside just from the public domain.

12. Therefore, there would be visual benefits resulting from the existing workshop being converted to a dwelling, but to my mind these would be outweighed by the additional harm caused by the sizeable and significant garage. Consequently, this element would serve to erode the character and appearance of the surroundings and diminish the separation between Higher and Lower Odcombe.
13. In coming to this view I am aware the Appellant questioned whether Higher and Lower Odcombe were in fact 2 villages or one, and therefore whether they could be said to be separated by the land in between. While the Parish Council and local residents may, on occasion, treat them as a single settlement, from the map evidence and my observations they are nonetheless 2 distinct entities with separate cores and the area containing the appeal site plays a role in maintaining those identities.
14. He also said that a large part of the remaining area between Higher and Lower Odcombe (though excluding his own land) has been '*put forward for*' the 2013 Strategic Housing Land Availability Assessment (SHLAA). That though does not equate to a grant of planning permission or an allocation in a development plan and so the weight I have afforded it is limited. Moreover, the Appellant's land was cited as a possible housing site in the 2009 SHLAA. However its identification has not been carried through to later versions of the SHLAA and so that has not been afforded significant weight.
15. I understand too that the conversion of the former blacksmith's workshop a few hundred metres away has recently been permitted, but I have no details of that scheme and so it has not had an appreciable bearing on my reasoning. The Appellant has also said that if the development did not proceed the building could become derelict and an eyesore. Based on my inspection though and mindful of its age I have no basis to consider it is not in good condition, and so it falling into dereliction could be some way off. In any event, that concern seems to be a matter of maintenance and is unsupported by any evidence to show other uses would not be possible there if this appeal was dismissed. While the Appellant has referred to the planning condition on the property restricting the use that does not necessarily prohibit other uses totally but rather merely requires their consideration by the local planning authority.
16. The Odcombe Conservation Area is of an irregular shape and extends over parts of Higher and Lower Odcombe. Its significance is due in part to it containing a variety of buildings of varying ages and styles that reflect the historic evolution of these rural villages. Local Plan Policy EQ3 is consistent with the Framework by seeking to safeguard the setting of heritage assets. I am aware that the Appellant's land is not in the conservation area, and moreover while it falls in the belt that divides the older part of Lower Odcombe from the newer estates of Higher Odcombe, it does not separate the historic portions of those 2 settlements. However, part of the conservation area's boundary runs along the east side of the land and this is defined by ornamental trees. To my mind the conversion of the existing workshop would not be harmful, as it would improve the appearance of the building. Moreover, given its size and its position directly in front of the stable block, I consider the garage extension would not cause harm to the setting of the conservation area.
17. In assessing this impact I am aware that in a recent appeal decision¹ an Inspector found that a mobile home on this site detracted '*to an albeit small degree*' from the setting of the conservation area. The mobile home though was a separate feature

¹ Appeal APP/R3325/W/16/3145603 dated 30 June 2016

of a distinctive appearance and so had a different impact to the proposal and consequently those findings do not lead me to a change my view in this instance.

18. Accordingly whilst the development would not harm the setting or significance of the conservation area and so would not conflict, in this regard, with Local Plan Policy EQ3 or the Framework, I conclude the formation of the garage would detract from the character and appearance of the countryside in conflict with the Framework.

Whether this constitutes a sustainable location

19. I was told of few facilities in either village. There would therefore have to be a reliance on services in Yeovil, some 3km away. However, the connecting road has few pavements and poor lighting, and so it would not be conducive to walking or cycling on a regular basis. Therefore, I consider residents at the site would be reliant upon private motorised transport.
20. This was a view shared by the Inspector in the recent decision on the site, but that concerned a new structure, namely a mobile home. However, in this case I am mindful the Framework identifies the reuse of a redundant or disused building that would enhance the immediate setting as a special circumstance to justify an isolated new home. Given this I conclude that the distance to services does not constitute a reason to resist the conversion of the workshop to a dwelling here and would not be contrary to the aims of the Framework.

Other matters

21. While concern has been raised about the manner in which the Appellant has consistently sought to develop the site, I am to consider this current scheme on its merits.

Conclusions

22. Whilst I have found that the relationship to services would not be grounds to warrant refusal, to my mind the harm to the character and appearance of the area is sufficient to outweigh significantly and demonstrably any benefits resulting from the reuse of a building and the significant weight I can afford to the moderate benefit of one further dwelling. This adverse impact is also great enough to mean the proposal would not constitute sustainable development. Consequently I conclude the scheme would conflict with the Framework when taken as a whole and so for the reasons given it should be dismissed.

J P Sargent

INSPECTOR