

Appeal Decision

Site visit made on 12 April 2017

by David Walker MA MRTPI

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

Decision date: 11th May 2017

Appeal Ref: APP/Q3305/W/16/3165131

**Cannards Grave Farmhouse, Whitstone Hill to Fosse Way, Shepton Mallet
BA4 4LY**

- 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 and Mrs Crockett against the decision of Mendip District Council.
 - The application Ref 2016/0983/FUL, dated 19 April 2016, was refused by notice dated 9 August 2016.
 - The development proposed is replacement of the existing garage with a single dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposal on the character and appearance of the area.

Reasons

3. The garage to be replaced is located at the bottom of the extensive garden to Cannards Grave Farmhouse and accessed via a track leading from Whitstone Road. The buildings are separated from the built limits of Shepton Mallet by an intervening field and appear prominent in the clear views that are available from the road.
 4. Although the dwelling would be located on the footprint of the existing garage it would be a larger and taller structure with box dormer windows overlooking the field. It would clearly have the appearance of a dwelling. Although there would be scope to improve the unfinished appearance of the garage, in its existing form it has a utilitarian character typical of many agricultural buildings in the countryside.
 5. With the degree of separation from the farmhouse a new dwelling at this location would appear isolated from existing buildings. There would be a greater visual impact on the rural qualities of the area than the garage to be replaced, leading to an urbanising effect. While the National Planning Policy Framework (the Framework) encourages the re-use of land that has been previously developed this is to be balanced against other objectives, including the need to recognise the intrinsic character and beauty of the countryside.
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6. The Framework also states that the social, economic and environmental dimensions of sustainable development should not be taken in isolation. Although an additional dwelling would bring social and economic benefits to the community, its visual impact would have a harmful environmental effect that would not be reduced by the limited renewable technologies employed. On this basis the environmental harm that would arise would prevent the proposal from amounting to a sustainable development.
7. Accordingly, there would be a conflict with Policies DP1, DP4 and DP7 of the Mendip District Local Plan Part 1: Strategy and Policies 2014 (the Local Plan). These require new development to contribute positively to local identity and distinctiveness; avoid significantly degrading the quality of the local landscape; and achieve high quality design in scale, mass and form and layout appropriate to the local context; amongst other matters.
8. As a result of the appeal site's isolated rural position the proposal would also conflict with Core Policy 1 of the Local Plan that sets out a strategy to direct development towards principal settlements and identified villages. Other housing allocations outside of development limits, as indicated under Core Policy 2, involve a separate plan making process that has yet to be concluded. The exceptional circumstances identified under Core Policy 4 would not be met by the open market dwelling proposed.
9. I acknowledge the support for the proposal offered by the Shepton Mallet Town Council but this does not outweigh the harm I have identified and conflict with the policies of the Local Plan. With the District Council's uncontested claim that it is able to demonstrate a five-year supply of deliverable housing sites I find no compelling justification for setting aside the policies of the statutory plan.
10. Overall, I conclude that the proposal would have a harmful effect on the character and appearance of the area.

Conclusion

11. For the reasons given above I conclude that the appeal should be dismissed.

David Walker

INSPECTOR