



Appeal Decision

Site Visit made on 8 June 2021

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 28 June 2021

Appeal Ref: APP/W3330/W/21/3268194

Land at Greenway Wood, Bishops Lydeard TA4 3BZ

- 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 A Goddard against the decision of Somerset West and Taunton Council.
 - The application Ref 06/20/0009, dated 5 March 2020, was refused by notice dated 22 September 2020.
 - The development proposed is change of use of land for the siting of four timber camping pods and associated ancillary development including welcome office, access and parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 1 April 2019 Taunton Deane Borough Council merged with West Somerset Council to become Somerset West and Taunton Council. The development plans for the merged local planning authority remain in place for the former area of Taunton Deane Borough Council until such a time as they are revoked or replaced. It is therefore necessary to determine this appeal with reference to policies set out in the plans produced by the now dissolved Taunton Deane Borough Council.
3. During the appeal process the Council raised an issue with the ownership of the site, as declared by the appellant in his submissions. The Council are of the view that Dan's Engineering Ltd is the legal owner of the appeal site. The appellant has confirmed that he is authorised to represent Mr Daniel Puddy and his business activities involving Dan's Engineering Ltd, and that Dan's Engineering Ltd have been involved with and are fully aware of the appeal proposal. I am therefore satisfied that no party has been prejudiced by this matter.

Main Issue

4. The effect of the proposal on the significance of the grade II* listed building, known as Sandhill Park.

Reasons

5. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or

its setting or any features of special architectural or historic interest which it possesses.

6. Sandhill Park, referred to as Sandhill Park Hospital on the list entry, is a substantial grade II* listed country house. It dates from approximately 1720, with a portico and wings added circa 1815. It 7 bay front is three storeys high and fronts a double pile plan. It occupies a gently elevated position, facing out over an extensive area of open parkland laid to pasture with parkland trees. The southern extent of the parkland is defined by an area of woodland. The principal approach to the building is through this woodland from South Drive. A lodge building defines the start of the drive, at its junction with Greenway Road. Beyond this the driveway passes through the mature woodland before it breaks out into the open area of parkland where the principal elevation of the house can be glimpsed between trees in its pastoral setting.
7. This arrangement gives a strong naturalistic setting to the house, with a pleasant transition between the informal wooded areas along the southern part of the drive, to the more formal landscape as one moves through the parkland towards the front of the house. Existing development to the east side of the southern end of the drive and to the east of the house detract from this setting to a certain extent. However, between these areas the character of what would appear to be a deliberately planned approach to the house, through a tranquil area of woodland and into the more open area of parkland, has been largely retained, and is a highly important aspect of the building's setting that contributes significantly to its special interest.
8. The proposal would see a loose arrangement of four accommodation pods set within the area of woodland alongside South Drive. They would be served by a small parking area and welcome building and accessed by individual paths. The pods would be set amongst existing trees, facing informally towards a clearing in the woodland.
9. The pods would be modest structures, with a simple curved timber roof that would wrap over the structure with vertical walls at the front and back. The front wall would be set back slightly, to provide some cover to the entrance door. If left to weather down to develop a natural finish, the placement of these pods alone would not be prominent to view from South Drive and would have little impact on the designed approach to the listed building.
10. The parking area would however be much closer to South Drive. I am mindful that intervening under storey planting would be increased to limit visibility of this area from the Drive, and that the track providing access to the parking area would have a low visual impact, however given the distance I consider it likely that someone walking along the drive would be well aware of the presence of parked cars within the adjacent area of woodland. The degree by which parked cars erode the tranquil approach to the house along the drive would be increased by the movement of vehicles and associated activity within the parking area.
11. The welcome lodge would be larger than the proposed pods, and would have the appearance of a domestic summerhouse, with a low pitched roof and eaves height that would roughly align with the head of its window and door opening. This would be positioned just beyond the car park area. As a larger building it would be visible over the height of parked cars and understorey planting. Although still a timber structure, it would have a more angular form than the

- camping pods and would thus be a more intrusive addition to the naturalistic woodland setting.
12. When considered in combination the visibility of the elements of the proposal closest to South Drive, coupled with the activity associated with the parking area and the use of the welcome lodge as well as the activity arising from persons staying at the pods, would create visual harm as well as harm to the tranquil setting of the woodland. These impacts would be increased during the winter months when trees in the woodland, most of which are deciduous, would be without leaf. The proposal would thus erode the quality of the approach to the house, which would in turn harm its special interest.
 13. In terms of the National Planning Policy Framework (the Framework) the harm would be less than substantial. Paragraph 196 of the Framework establishes that any harm should be weighed against the public benefits of the proposal.
 14. The proposal would introduce a new tourism use. Guests staying at the site would be likely to spend money locally on food and various local attractions, including the nearby steam railway. The proposal would thus benefit the local economy. However, this would be limited by the small scale of the proposal.
 15. The proposal would generate some employment during the construction phase. In addition, persons would be employed to manage the units. Both would constitute a public benefit, however the level of employment generated would be modest.
 16. It is suggested that the proposal would secure better management and restoration of the woodland and would give it a viable long-term use. However, the information before me states that a legal agreement associated with the original planning approval for the wider site is in place already, and that this covers the management of Greenway Wood. The site is not previously developed land, or in such poor condition that it would appear to warrant a new use. I am thus not satisfied that this matter is a public benefit that would weigh against the heritage harm identified.
 17. As set out above, the proposal would cause harm to the building's special interest in the form of a harmful change to a significant aspect of its setting. Paragraph 193 of the Framework establishes that great weight should be given to the conservation of a heritage asset. In this context I find that the public benefits of the proposal would not be sufficient to outweigh the degree of harm identified.
 18. In summary, the proposal would fail to meet the requirements of the LBCA as it would cause harm to the setting of the listed building. It would thus be contrary to Policies SP1, SB1, CP1, CP8, DM1 and DM2 of the Taunton Deane Core Strategy 2011-2028 (CS) and Policy D7 of the Taunton Deane Adopted Site Allocations and Development Management Plan 2016, which together seek to ensure that development proposals conserve and enhance the historic environment.
 19. In its reason for refusal the Council also referred to Policies SB1, CP2 and CP6 of the CS. I am however not satisfied that these Policies are relevant to the Council's refusal reason or the main issue of the appeal.

Other Matters

20. The appellant refers to the proximity of the site to public transport. The appellant also refers to a previous appeal decision¹ and other decisions by the Council where the settlement boundary was a main issue, including proposals for holiday units. However, none of these matters are a main issue of the appeal before me or are matters that could weigh in favour of the proposal in the context of my finding of heritage harm.
21. Natural England has advised the Council about the high levels of phosphates in the Somerset Levels and Moors Ramsar site. The proposal falls within the development types identified by Natural England that may give rise to additional phosphates within the catchment of the Ramsar. No information is before me relating to the level of phosphates that would be generated by the development, or details of any measures that may off-set the impact. However, as I am dismissing the appeal for other reasons, the proposal cannot give rise to additional phosphates, and this matter does not therefore need to be considered further.

Conclusion

22. There are no material considerations that indicate that the appeal should be determined other than in accordance with the development plan. For the reasons above, I therefore conclude that the appeal should be dismissed.

A Tucker

INSPECTOR

¹ APP/D3315/W/17/3179264