



## Appeal Decision

Site visit made on 2 February 2022

**by Matthew Jones BA(Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 17 February 2022**

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**Appeal Ref: APP/W3330/W/21/3276334**

**Land at ST2251 1603, Otterford, Somerset**

- 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 Luke Aplin against the decision of Somerset West and Taunton Council.
  - The application Ref 29/20/0018, dated 10 September 2020, was refused by notice dated 18 March 2021.
  - The development proposed is erection of general-purpose agricultural building.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The appeal site is located at the southeast corner of a rural field of pasture. A public highway bounds it to the north, with a separate field to the east, beyond which runs the B3170 on a north to south axis. On 17 August 2021, after the appeal was lodged, Prior Approval was granted<sup>1</sup> for the erection of a general-purpose agricultural storage building within the pasture (the Permitted Building), close to an existing building near to the north field boundary. The Council and the appellant have had the opportunity to address this change in circumstances during the appeal process. I therefore had regard to it in my own assessment without prejudice to either main party.

### Main Issues

3. The main issues are:
  - whether or not the proposed agricultural building would be commensurate with the role and function of the agricultural unit that it would serve; and,
  - the effect of the proposal on the character and appearance of the area, with reference to the Blackdown Hills Area of Outstanding Natural Beauty (AONB).

### Reasons

#### *Agricultural need*

4. The appellant's expanding enterprise extends to 215 acres and is focused on lambing, with around 500 sheep in total, and calf rearing. Whilst it is based at Cherryhayes Farm, I am led to believe that the buildings there are fully utilised. As such, at first blush, the proposal would appear commensurate to the role

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<sup>1</sup> Ref 29/21/0006/AGN

and function of the unit. Moreover, due to the nature of the tenancy agreements in place, there is a paucity of alternative sites beyond this field.

5. However, there is now the potential for the Permitted Building to be developed, not just as an alternative, but in addition to the proposal. It is also described as a general-purpose agricultural building and, although not as large, there is an inescapable logic that it would fulfil a degree of the need for the building proposed. Indeed, the appellant has stated that the two buildings are very similar and that the need between them has been justified in a similar manner.
6. These circumstances cast significant doubt in my mind as to whether the building would be commensurate with the role and function of the agricultural unit. As such, the proposal falls into conflict with Policy DM2 of the Core Strategy 2011-2028 (adopted 2012) (CS).

#### *Character and appearance*

7. The AONB has the highest status of protection with regard to its landscape and scenic beauty. This section of the AONB is characterised by a patchwork of moderately sized fields, and areas and belts of woodland. Fields barns are present but tend to be solitary and fairly small in scale.
8. The proposed building would not be small. However, it would be set back into the far corner of the field. This would ensure that the building would be viewed at a long distance, which would reduce perception of its scale to a magnitude akin to the existing field barns. Its presence would be further ameliorated by the new landscaping, and existing hedgerows and belts of woodland to the south and east, which are well placed to screen the building from the B3170.
9. However, as I have already found, I cannot rule out that, if I were to allow the appeal, the Permitted Building would also be developed. If that were to happen, the two buildings would combine across the foreground and background of public views from the highway to the north. This would create a cumulative density and scale of development which would detract from the landscape and scenic beauty of the AONB.
10. Consequently, I conclude on this issue that the proposal would have a harmful effect on the character and appearance of the area, with reference to the AONB. It would conflict with the landscape aims of Policies DM1 and CP8 of the CS. There would also be conflict with the similar aims of the Blackdown Hills AONB Management Plan and the National Planning Policy Framework.

#### **Conclusion**

11. The proposal would conflict with the development plan when read as a whole and there are no other considerations which outweigh this conflict.
12. For the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

*Matthew Jones*

INSPECTOR