



Appeal Decision

Site visit made on 27 April 2022

by S Edwards BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2022

Appeal Ref: APP/W3330/W/21/3289579

Land to the south of Higil Lea, Crowcombe, TA4 4BF

- 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 Andrew Ware against the decision of Somerset West and Taunton Council.
 - The application Ref 3/07/21/010, dated 29 June 2021, was refused by notice dated 26 August 2021.
 - The development proposed is tourist development comprising: 2no. glamping pods, 1no. shepherds hut (and an implement shed).
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Andrew Ware against Somerset West and Taunton Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are:
 - Whether the proposal would be suitably located, having particular regard to national and local planning policies, which seek to restrict development in the countryside; and
 - The effect of the proposal on the character and appearance of the area, including the Quantock Hills Area of Outstanding Natural Beauty (AONB).

Reasons

Location

4. The appeal site is located outside of any settlements limits and therefore lies, for planning purposes, in the open countryside which, as set out in Policy OC1 of the West Somerset Local Plan to 2032 (LP), includes all land outside of existing settlements. In such locations, Policy OC1 advises that development is not generally appropriate, and will therefore only be permitted in a set number of exceptions. The appeal scheme is for the erection of two glamping pods, a shepherd hut and an implement shed, and would therefore not meet any of the exceptions listed in Policy OC1.
5. LP Policy EC9 supports tourism developments outside settlements, but only in restrictive circumstances. The proposed development is modest in scale, and is

therefore unlikely to adversely affect the vitality and viability of neighbouring settlements. However, limited evidence has been presented to demonstrate that the proposed location is essential to a business and could not be located elsewhere.

6. As the site lies in a relatively remote location, away from Crowcombe, it is highly likely that the development would give rise to new unsustainable transport patterns. The lack of street lighting and continuous footpath connecting the site to the nearest settlement would discourage pedestrians and cyclists from using alternative modes of transport to the private car. Whilst the development may not generate significant additional traffic movements, there is nevertheless a high likelihood that visitors would rely on the private car for the majority of trips to access services and tourist attractions, for the simple reason that other modes of transport would not represent attractive propositions.
7. Whilst it is argued that there is a bus stop near the site, and that the development could therefore be served by regular services running between Minehead and Taunton, this has not been supported by further evidence to demonstrate the frequency of the services. Having regard to the available evidence, I cannot therefore be certain that public transport could assist as an effective alternative to private motor vehicles.
8. As set out in paragraph 85 of the National Planning Policy Framework (the Framework), there are circumstances where sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements. However, I have been presented with limited information to demonstrate that the appeal scheme would fulfil such needs. The appellant refers to local businesses within and around Crowcombe, but without further details, I cannot be certain that the appeal scheme would be beneficial for the community and the local economy. There is also limited evidence before me regarding the existence of a need for this type of tourist accommodation. Whilst it is accepted that glamping pods and shepherd huts may not be considered appropriate within the built envelope of a settlement, it is unclear whether other more suitable and less sensitive locations have been considered.
9. Given the above, I find that there are no exceptional circumstances in this instance which weigh in favour of the development, and conclude that the proposal would not be suitably located, having regard to national and local planning policies, which seek to restrict development in the countryside. Accordingly, the appeal scheme would conflict with LP Policies OC1, SD1, EC9 and TR2, which promote sustainable forms of development and seek to reduce reliance on the private car.

Character and appearance

10. Located within the Quantock Hills AONB, the appeal site is adjacent to a modest residential development and comprises an open field set to pasture, which is partially enclosed by soft landscaping, with a relatively narrow track of land running along the western boundary. It forms part of an undulating rural landscape providing far reaching views, which give the locality a pleasant and tranquil feel.
11. Despite the screening provided by the existing vegetation, the proposed change of use would alter the character and appearance of the site

significantly. The access and parking area would result in the introduction of an urbanising feature, which would be evident within the public realm, notably from the site's entrance on Higil Lea. The installation of the proposed structures, together with the paraphernalia which would be associated with the tourism use, such as outdoor furniture, would add clutter to what is otherwise a largely undeveloped area.

12. Furthermore, the proposed use would increase the level of activity, noise and disturbance, which would detract from the sense of tranquillity in the surrounding area. As a result, the development would erode the contribution which the site currently makes to its surroundings and fail to conserve and enhance the landscape and scenic beauty of the AONB.
13. The proposal is supported by a Landscape Statement which found that in carefully selected views, the appeal scheme would have a neutral visual impact on the surrounding area. These findings rely to a large extent on significant tree and hedgerow planting to mitigate the visual impact of the development. However, the vegetation would inevitably take time to mature, and there is also no certainty that it would remain in place for the lifetime of the development, as planting could disappear for a number of reasons, such as disease, weather or accidental damage.
14. Given the above, the appeal scheme would cause unacceptable harm to the character and appearance of the area, and would fail to conserve and enhance the landscape and scenic beauty of the Quantock Hills AONB, to which I ascribe great weight, in accordance with paragraph 176 of the Framework. The proposal would therefore be contrary to LP Policies NH5 and NH14, which seek to protect the quality and integrity of local landscape character areas, and nationally designed landscape areas such as the Quantock Hills AONB. It would also conflict with the aims of the Framework, which seek to protect and enhance valued landscapes, and recognise the intrinsic character and beauty of the countryside.

Other Matters

15. The appellant has drawn my attention to several schemes, which have been either approved by the Council or allowed on appeal. Having considered the presented information, these developments do not however appear to represent a direct parallel to the proposal before me, particularly in respect of the circumstances and location of the cases. Furthermore, I note that where conflicts with the development plan were identified, these were found to be outweighed by other considerations. For these reasons, very limited weight has been afforded to these approved schemes.

Conclusion

16. There are no material considerations, which indicate that the appeal should be determined, other than in accordance with the development plan. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

S Edwards

INSPECTOR