



Appeal Decision

Site visit made on 28 June 2022

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28th July 2022

Appeal Ref: APP/W3330/W/22/3292573

Cloverfield Barn, Lower Weacombe, Taunton TA4 4ED

- 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 Miss Keen and Sear against the decision of Somerset West and Taunton Council.
 - The application Ref 3/28/21/006, dated 7 June 2021, was refused by notice dated 19 November 2021.
 - The development proposed is Erection of a dwelling utilising the Class Q fallback position.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As part of their submission, the appellants have provided amended plans, including showing changed materials. Given the relatively small extent of the changes, no parties' interests would be prejudiced if I take these amended plans into account. I shall therefore determine the appeal on these plans.
3. In its decision, the Council's first reason for refusal refers to paragraph 172 of the National Planning Policy Framework (The Framework). The Council has subsequently acknowledged that it should instead have referred to paragraph 176 of the Framework, in respect of the Quantock Hills Area of Outstanding Natural Beauty (AONB). However, the correct wording was used in the Officer's Report and so the appellant has not been prejudiced by this.
4. The Council's second reason for refusal relates to potential ecological impacts from the development and that insufficient information had been provided in this respect. Subsequently, the appellants have undertaken a Preliminary Visual Assessment for bats and breeding birds, which has found no evidence of these species within the building.
5. The Council has confirmed that it no longer wishes to pursue the second reason for refusal. I see no reason to disagree and Policy NH6 of the West Somerset Local Plan to 2032, adopted November 2016 (WSLP), which relates to nature conservation, has been satisfied.

Main Issue

6. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

7. The site is a large, agricultural building, located in an area that consists primarily of open countryside, fields and farm buildings. Dwellings are often simple cottages or farmhouses, many being set close to and either parallel or perpendicular to the road. These features, together with the steep slopes of the landscape within the nearby AONB, give the site a deeply rural, agricultural character.
8. The design of the proposal has been the subject of several iterations and would use local sandstone and slate, in accordance with the Council's Draft Design Guide Supplementary Planning Document 2021, which has been drawn to my attention. It would also use detailing in the form of brick quoins and varied roof types. The proposal is intended to have a barn-like feel in places, with the Design and Access Statement referring to a traditional threshing-barn appearance, whilst references have also been taken from dwellings nearby.
9. However, as a whole the design is somewhat confused, with different elevations giving differing impressions of either a farmhouse or a converted barn. The siting and U-shape footprint of the proposal means that its main element would be positioned well away from the road frontage, whilst the entrance driveway and hardstanding would be sited more or less centrally.
10. These elements give the proposal a domestic, planned layout that does not reflect the local vernacular. In particular, it would be different from nearby Lower Weacombe, where the farmhouse identified by the appellant is close and perpendicular to the road, with courtyard buildings having been developed organically around it, and with a different entrance arrangement. Proposed features such as domestically proportioned wings and details, including doors, windows and openings, would also conflict with the barn-like elements of the design. This would be re-enforced by the lawn proposed around the dwelling.
11. Taken together, the design, footprint and siting of the proposal mean that it would not appear either as a converted barn or as a farmhouse. Instead, it would appear contrived in its design. As a result, other than in terms of its materials, it would have little clear relationship to its surroundings, and would harmfully contrast with the rural and agricultural character of the area.
12. A planning condition could be used to secure details of the surface materials. A new landscaped enclosure, with stone walling and hedge planting, would also help to ameliorate and screen the proposal, as would the current roadside hedging. Even so, such screening cannot be relied upon, particularly in winter months when foliage is reduced, and nor can its survival in the long term be guaranteed. In any case, the proposal's appearance would still be visible from the adjacent roads, particularly when viewed through the site entrance.
13. Furthermore, whilst filtered by existing trees, and notwithstanding the regressive effect of the slate roof, I saw that the roof and position of the proposal would be visible from higher public viewpoints within the AONB. Given the harm I refer to above, and its visibility both from the AONB, and within its foreground, the proposal would have a negative impact on the setting of the AONB and its natural beauty.
14. I therefore conclude that the proposal would have a harmful effect on the character and appearance of the area. As such it would be contrary to Policy

NH5 of the WSLP, which requires development to be located and designed to minimise adverse impact on local landscape character.

15. The guidance in Policy DIIP3 of the Quantock Hills Management Plan 2019 – 2024 has been referred to, but this relates to settlements within the AONB, and so does not directly apply to the proposal. However, for the reasons referred to above, the proposal would conflict with the Framework, which in paragraph 176 states, amongst other things, that development within the setting of AONBs should be sensitively located and designed to avoid or minimise adverse impacts on the AONB.

Other Matters

16. Planning permission for conversion of the existing barn on the site to residential use has already been granted, under a Prior Approval¹. The appellants intend to complete this development, if planning permission is not forthcoming for the proposal. It is common ground that this represents a fallback position and as such carries significant weight in the planning balance.
17. The proposal would have a smaller floorspace and footprint than the fallback and would be constructed with external materials that reflect those used locally, especially when compared to those of the fallback which would be functional and mis-matched. Furthermore, both schemes would have windows on external elevations, giving a domestic appearance to either building.
18. However, the siting of the fallback building, being closer to existing site boundaries, together with its long, low and simple shape and profile, would retain the form of an agricultural building. This is in contrast to the higher and differing ridge and eaves heights of the proposal. As such, the fallback sits more naturally in the landscape, and would better reflect the agricultural character of the site and the surrounding area, to which I give significant weight.
19. The fallback would result in use of the area around the building for domestic purposes, some of which would be closer to and more visible from the highway. However, both proposals would be likely to result in domestic paraphernalia of a nature that could not be controlled, such as children's play equipment and garden furniture, being visible from the road. In addition, the position of the proposal, being set back into the site and with a greater extent of garden, means it would encroach further into the countryside, adding to its harmful domestic effect compared with the tight boundaries of the fallback.
20. The proposal would provide much greater screening, including new native hedgerow, but as I have already stated this cannot be relied upon to fully screen the effects of the proposal and so attracts only modest weight in its favour. Furthermore, notwithstanding lower site levels, the taller height of the proposal (by around a meter) and its position, would make it more visible than the fallback when viewed from adjacent roads and the AONB, resulting in greater harm in comparison.
21. The proposal would result in a more energy efficient dwelling, with some ecological benefits including bat and bird boxes and additional native hedge planting, resulting in a biodiversity net gain. The fallback does not include

¹ LPA reference 28/21/001

these benefits and so these measures carry modest weight in favour of the proposal. I have also taken into account the representations made in support of the proposal. However, these matters do not overcome the harm that it would cause.

22. Both parties have referred to WSLP Policy TR2 and whether occupiers would be reliant on the private car for services and facilities. However, given that both the proposal and the fallback would result in a single dwelling, and therefore a similar degree of reliance on the private car, this is not central to my reasoning.

Planning Balance and Conclusion

23. For the above reasons, I consider that the proposal would be more harmful than the fallback in respect of the character and appearance of the area. It does not therefore justify the conflict with the Development Plan, read as a whole that I have identified above. No material considerations have been shown to have sufficient weight to warrant a decision otherwise than in accordance with the Development Plan. I therefore conclude that the appeal should be dismissed.

O Marigold

INSPECTOR