



Appeal Decision

Site visit made on 28 February 2023

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th May 2023

Appeal Ref: APP/W3330/D/22/3311299

4 The Elms, Crowcombe, Taunton, TA4 4AE

- 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 J Oldfield against the decision of Somerset West and Taunton Council.
 - The application Ref 3/07/22/018, dated 1 August 2022, was refused by notice dated 14 September 2022.
 - The development proposed is the siting and erection of short-wave mast and aerial[s].
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Borough Cottage, Rose Cottages and the Carew Arms are grade II listed buildings. As required by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

Main Issues

3. The main issues in this case are: firstly, the effect of the proposal upon the character and appearance of the area, having particular regard to the impact of the mast and aerials upon the Quantock Hills Area of Outstanding Natural Beauty, and upon the setting of nearby listed buildings; and secondly, the effect upon nearby residents, with particular regard to outlook.

Reasons

Character and Appearance

4. The appeal property comprises a semi-detached house with front and rear gardens and is within the village of Crowcombe. This village lies close to the southern side of the Quantock hills and has an essentially linear form, with the houses and bungalows positioned either side of the highway. The form of the village is such that many of the houses are very close to fields, as is the case with 4 The Elms (No 4).

5. The hills form a dramatic and imposing backdrop to the village. A feature of the Quantock Hills Area of Outstanding Natural Beauty (AONB) is the presence of villages on the lower land, with the repeated use of local building materials and vernacular architectural styles contributing towards the distinct local identity of the area. This relationship of the built environment with the topography, along with the imposing physical dominance of the hills, are all part of the distinctive landscape and scenic beauty of the AONB.
6. One of the prominent focal points within the village is the church, with the historic core of the village being close by. There are several historic buildings near to the appeal site, including listed houses and the listed public house. These buildings step gently down the hillside, and they emphasise the linear form of the village as they are positioned close to the highway. The long roof ridges of these buildings are mostly aligned parallel to the highway and they create a frame to the road that is evident from some distance away. The linear continuity of the roofscapes, along with the two storey nature of the buildings, their traditional vernacular forms, and repeated palettes of materials is part of the significance of these listed buildings. This harmonious consistency maintains the physical and social dominance of the high-status houses and the church within the village.
7. Next to the appeal site is Borough Cottage, which is a listed building. This detached cottage, with roughcast render under a slate roof is positioned close to the highway and contributes towards the high quality appearance and linear form of the village. It is part of the attractive row of historic houses and the public house that frame the road. The cottage has a modest size, with a traditional vernacular form and appearance, which are all part of the significance of this listed building.
8. The appeal property is part of a short row of semi-detached houses that are set back from the road behind front gardens. This row of houses are at a higher level than Borough Cottage. Similar to the other properties within the Elms, in the rear garden of the appeal property there are a variety of sheds and a greenhouse, and there is a tall fence along the boundary with Borough Cottage. At the time of my site inspection there were also three individual aerals in the garden.
9. The proposed mast and aerals would, when in use, project high above the ridge heights of the surrounding buildings, and the height and breadth of the structure would make it visible from long distances away. At its fullest extent the mast and aerals would tower over the nearby houses. Even though the mast would have a slender lattice form, its height and construction from galvanised metal would make it conspicuously apparent. Apart from the church and few high-status houses in the village, the mast would be by far the tallest feature, and it would be much taller than any nearby telephone and electricity poles. In such a context the mast and aerals would detract from the legible historic social hierarchy and importance of the high status houses and

the church. Moreover, the eye-catching prominence of the mast and aerals would harmfully erode the modest relationship of the village with the dominance of the topography, thereby unacceptably detracting from the contribution the village makes to the landscape and scenic beauty of the AONB.

10. The harmful impact of the structure would be exaggerated by the wide lateral spread of the aerals. Not only would the structure be tall, but it would be broad. Taken as a whole, the mast and aerals would introduce a large, tall, utilitarian, and overtly modern structure into an area where it is the landscape and the subservience of the built form to the landscape that characterises the locality. The mast and aerals would harmfully draw the eye, unacceptably detracting from the magnificence of the landscape and the contribution the village makes to the scenic beauty of the AONB.
11. The mast could be lowered to approximately half its height when not in use, taking its height to below that of the ridge of No 4. This would minimise some of the visual disruption of the mast and aerals, particularly when viewed from the road. However, the aerals would still be visible from the highway as they would extend beyond the flank wall of the house, and both the mast and the aerals would remain visible when approaching the site from the south and from the east. A few isolated trees near to the field boundary would provide some screening of the lower parts of the structure, but landscaping cannot be relied upon to screen development in perpetuity, and particularly so when it is not within the control of the appellant.
12. The appellant has drawn my attention to objectives of the Quantock Hills Management Plan, pointing out that the proposal would be no threat to open hills or skylines, and that the AONB is a living landscape. The mast and aerals would not disrupt the stunning expansive panoramas that are available from the hilltops, but they would intrude a harshly utilitarian and unacceptably prominent feature into an attractive village and rural landscape that would detract significantly from lowland skylines and views. The mast and aerals would be near to the edge of the AONB, but nevertheless they would be within it. The National Planning Policy Framework (the Framework) makes it clear that great weight should be given to conserving and enhancing the landscape and scenic beauty of AONBs, and given my findings the proposal would fail to accord with these requirements.
13. Turning now to the impact of the proposal upon the setting of Borough Cottage, given the substantial height, wide breadth, and modern, utilitarian appearance of the mast and aerals, they would be an intrusive and distracting addition within the setting of this listed building. Borough Cottage is closer to the highway than No 4 and also lower down the hillside. The traditional vernacular form and materials of this historic building, along with its modest height and size are part of the

significance of this listed building, and it makes a positive contribution to the character and appearance of the village.

14. The close proximity of such a high, wide structure would, particularly when at operational height, dominate Borough Cottage. The provision of such a utilitarian feature within what is a domestic context would appear conspicuously intrusive, introducing a large, modern and functional structure into the setting of the listed cottage. The structure would overwhelm the modest residential, vernacular form and appearance of this listed building. Furthermore, given the height and size of the mast and aerials, they would harmfully intrude and thereby erode the attractive cohesion that is created by this listed building and the other nearby historic buildings.
15. The Framework requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The scheme would unacceptably intrude into the setting of the nearby listed cottage, and this would be less than substantial harm, given the size of the setting of Borough Cottage as a whole. However, this harm would be of considerable importance and weight and has to be weighed against the public benefits of the proposal. The appellant refers to the requirement for the mast and aerials to be within the appeal site as there is no alternative location. Nevertheless, such needs are a personal benefit rather than public benefit, and consequently do not outweigh the significant harm that would arise.
16. Reference has been made by the appellant to three other similar masts having been permitted by the Council. However, little detail has been provided about these permissions, and I have no evidence before me to assess whether they are comparable in any way to the appeal proposal. As regards the approval of a 35m high latticed mast near to Exmoor National Park, this permission was for a telecommunications mast that was required as part of the Emergency Services Mobile Communications Programme. The mast would provide a communications service for three emergency services and having regard to this public benefit, the permission is very different to the appeal proposal. Consequently, neither this case nor local support for the scheme, form a binding precedent for allowing the appeal.
17. For these reasons the proposal would unacceptably harm the character and appearance of the area, and would fail to preserve the setting of the nearby listed building, nor conserve nor enhance the landscape and scenic beauty of the AONB. This would be contrary to the requirements of the Act and to objectives of the Framework, and the suggested conditions, including those seeking to remove the structure when no longer needed, would not ameliorate these harms. The proposal would also conflict with Policies NH1, NH5 and NH14 of the West Somerset Local Plan (2016) (LP). These policies seek, amongst other things development that minimises the adverse impact upon the quality and

integrity of local landscape character, that which conserves or enhances the natural beauty of the AONB, and that which sustains or enhances the settings of designated heritage assets.

Living Conditions

18. Given the height of the mast and the breadth of the aerials they would form an imposing structure very close to nearby houses and gardens. Even when at its lower height, the structure would overwhelm and dominate the views of nearby residents, both from their rear facing rooms and from their gardens. This would be particularly the case for the occupiers of Borough Cottage as this property is at a lower level than No 4. The outlook for these residents would be dominated by the mast and aerials, and the wide spread of the aerials would form an oppressively enclosed outlook at an elevated level.
19. The lattice frame of the mast would be relatively slender, but nevertheless both it and the aerials would have a functional, industrial appearance that would be at odds with the village setting and also the expansive, open nature of the nearby fields. Such a contrast would serve to exaggerate the visual intrusion and imposition of the proposal.
20. There is some local support for the scheme, but the planning system seeks to protect both the living conditions of existing and future occupiers of nearby properties. The mast and aerials would be designed to be robust, but irrespective of this, their height and breadth when combined with their close proximity to nearby houses and gardens, would be an uncomfortable and intimidating presence for nearby residents, and particularly so when at operational height.
21. Having regard to my findings, the proposal would unacceptably harm the living conditions of nearby residents, and the suggested conditions of the parties would not mitigate this fundamental harm. The proposal would be contrary to the requirements of LP Policy NH13, which requires amongst other things, that development responds positively to its neighbours and local context, thereby reflecting objectives of the Framework.

Other Matters

22. Local residents have raised a number of matters, including health concerns. However, following my findings on the main issues, I have no need to consider such matters. Finally, the appellant's concerns regarding the Council's handling of the application, including a site visit and discussion of the proposal, relate to procedural matters and have no bearing on my consideration of the planning merits of the case.

Conclusion

23. The scheme would cause unacceptable harm to the character and appearance of the area, and to the living conditions of nearby residents. The suggested conditions would not overcome this harm. Thus, for the

reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR