



Appeal Decision

Site visit made on 23 May 2023

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2023

Appeal Ref: APP/W3330/W/22/3302867

The West Somerset Community College Farm, Old A39 Ellicombe, Dunster, Somerset TA24 6TR

- 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 Smith of Bridgwater Taunton College Trust against the decision of Somerset West and Taunton Council.
 - The application Ref 3/10/22/001, dated 7 February 2022, was refused by notice dated 22 April 2022.
 - The development is described as “the erection of an open sided timber shelter to provide weather shelter to animals and students. The structure is 9m long, 6m wide and is constructed using round timber posts, dug into the ground, with timber trusses and timber planks to provide a shelter”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. It was apparent from my visit that the shelter had been erected. Notwithstanding this, I have determined the appeal on the basis of the submitted drawings, rather than what has occurred on site.

Main Issue

3. The main issue with this case is the effect of the shelter on the character and appearance of the area, including having regard to the effect upon the setting of Exmoor National Park.

Reasons

4. Positioned within a field currently laid to grass, the shelter is on a level site close to the field boundary along the old A39 road. Although near to this road the field is level, the land slopes uphill towards the south, with mixed native woodlands beyond. Fields surround the shelter, with the college farm buildings forming a distinct cluster to the northwest.
5. The striking landscape is a distinct feature of the area. Edging the expansive coastal plains are steep hills that in places are dissected by sharply incised valleys. Agricultural fields are concentrated on the level land and more gentler slopes, with a rich tapestry of woodlands on the hills forming a distinct verdant contrast to the managed fields. Although

the appeal site is outside of the Exmoor National Park, the hills to the south are within it.

6. The shelter is an open sided timber structure with timber shingled roof and an earth floor. At the time of my inspection there was a table and a few large logs underneath, with a fire pit and more logs nearby. The hedgerow along the road showed evidence of historic management, although it had not been managed during the last season.
7. Even though the hedge has been allowed to grow, the height and size of the shelter is such that it is visible within the surrounding area, including from the nearby public right of way, from the A39, and from Marsh Lane. The roof in particular can be seen from long distances away, partly due to the height of the building but also because of its size and the fresh, bright colour of the shingles.
8. The timber will weather in colour over time, thereby softening its bright appearance. Despite this the isolated location of the shelter is such that it would remain a conspicuous building in an open setting. It is some distance away from the college buildings and is also set back from the hedgerow. Given this, it has a curiously isolated position with no legible functional agricultural role as would be expected in a countryside setting. The building could be used for teaching purposes, and it could also function as an animal shelter. However, as the shelter is set apart from other buildings, away from the field boundary, and also away from the field entrance, the shelter has an incongruously discordant position.
9. Furthermore, this incongruity is exaggerated by the form and style of the shelter. It does not have a functional, agricultural appearance, but is a high-quality timber structure with a considered form. Taken as a whole, the size of the shelter, its form, and its position, are such that it is a building that draws the eye.
10. The tall hedgerow and recent tree planting would provide some degree of screening, particularly when viewed from the A39 and from Marsh Lane. Nevertheless, the shelter would still be visible from longer viewpoints, including from higher up the hillside. Moreover, landscaping cannot be relied upon to screen development for its lifetime.
11. The shelter is not within the National Park, but it is close to it upon the coastal plains that comprise a lowland setting to the striking topography of this designated landscape. The National Planning Policy Framework (the Framework) requires that great weight should be given to conserving and enhancing the landscape and scenic beauty in National Parks, and that development in their settings should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. Whilst acknowledging the high-quality form and materials, in this case the shelter is an intrusive and curiously discordant structure within a managed agricultural landscape that would harmfully detract from the open lowland setting of the National Park.

12. For these reasons the shelter would unacceptably harm the character and appearance of the area, and the contribution it makes to the setting of the National Park. The suggested conditions would not overcome this fundamental harm. The proposal would fail to accord with objectives of the Framework, nor with those of Policies NH5, NH13 and NH14 of the West Somerset Local Plan (2016) (LP). These policies seek, amongst other things, that development is located and designed so as to minimise adverse impact on the quality and integrity of local landscapes, that which makes a positive contribution to the local environment, and that which conserves or enhances the setting of the National Park.
13. The appellant considers the shelter would accord with the objectives of LP Policies OC1 and EC7, as they seek amongst other things, to strengthen the range and quality of training opportunities. The use of the building as an animal shelter and teaching facility would accord with the objectives of these policies. Notwithstanding this, these benefits do not outweigh the significant harms that arise from the scheme.

Other Matters

14. The appellant did not realise that planning permission was needed for the shelter and has drawn my attention to the discussions that have occurred with the Council. However, I am obliged to determine the appeal on the basis of the evidence before me, and alternative schemes would be matters for the parties to consider outside of the appeal process.

Conclusion

15. The shelter unacceptably harms the character and appearance of the area and the setting of the National Park. The scheme would conflict with the Framework and also with the development plan when taken as a whole, and the adverse impacts significantly and demonstrably outweigh the benefits. Thus, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR