



Appeal Decision

Site visit made on 9 June 2025

by D Nicholson RIBA IHBC

an Inspector appointed by the Secretary of State

Decision date: 26 June 2025

Appeal Ref: APP/W3330/W/24/3347918

Kimmins Moor, Skilgate, Taunton, Somerset TA4 2DL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Peter Govier against the failure of Somerset West and Taunton Council.
 - The application Ref is 3/30/23/001.
 - The development proposed is: Erection of 1 No. dwelling with associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Following local government reorganisation, Somerset Council was established from 1 April 2023. The Development Plan for the area currently includes the adopted West Somerset Local Plan. The National Planning Policy Framework (NPPF) was revised in December 2024 and I have reached my Decision based on the latest version.

Applications for costs

3. A costs application was made by Mr Peter Govier against Somerset Council. This is the subject of a separate decision.

Main Issues

4. The main issues are the effects of the proposals on the character and appearance of the area, with particular regard to the quality of design and to NPPF paragraph 84e).

Reasons

5. Skilgate is a remote village west of Taunton, just outside Exmoor National Park. It has the benefit of a church and village hall. Access is via single track roads with few passing places. On my visit, I passed horses and cows but no cars, other than one seemingly abandoned in the middle of the road.

6. The appeal site is the middle of a field a short distance up the hill and so even more isolated than the village. Access is via an overgrown gateway adjoining an unclassified road. The proposal is for a large standalone house within landscaped grounds.
7. Given its isolated position, the appeal site is an unsustainable location for development. The proposals would therefore be contrary to West Somerset Local Plan (LP) Policy OC1: Open Countryside Development which only permits development in exceptional circumstances or where specific criteria apply, none of which is relevant here.
8. The landscape around the village lies within the *Brendon Fringe* which is dominated by numerous scattered villages, hamlets and farms, usually nestled into sheltered valleys, the characteristic features of which are its historic field patterns and hedges, and its close association with Exmoor.
9. The ground slopes quite steeply across the site towards a treed valley below. The house and grounds would occupy the middle of a field half way up the hillside. This would be at odds with the features and character of the field as part of the *Brendon Fringe* and jar in the surrounding landscape. The scheme would be contrary to LP Policy NH5 that expects development within identified landscape character areas to be located and designed in such a way as to minimise adverse impact on the quality and integrity of that local landscape character area.
10. NPPF paragraph 84 (previously paragraph 80) aims to avoid the development of isolated homes in the countryside unless one or more circumstances apply. Of these, criterion e) reads: *the design is of exceptional quality, in that it:*
 - i. *is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
 - ii. *would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*
11. The house would be constructed using Corten steel, and finished with glazing and zinc roof sheeting. The roofs would be inspired by leaf patterns found in nature. It was described as a rural/agricultural form with 21st Century materials and detailing.
12. I have noted the references to fractal and biophilic design, but architecture frequently uses patterns and seeks to connect humans with nature to improve wellbeing. I acknowledge that some of the detailing would be different, but am not persuaded that the choice of materials would be appropriate to its setting or integral to its design approach. I find little in the resulting forms to demonstrate attractive proportions or that any resonance with nature would be indicative of outstanding architecture. While unusual, I find that the forms of the buildings would simply appear discordant and unresolved.

13. The scheme would aim to introduce new and cutting edge technologies and has used professionals and experts in isolated house design with proven track records. However, there is little explanation of why the detailing would be appropriate to the site or resonate with the landscape.
14. While the proposed design has evolved significantly, and would now make some reference to local landscape character, I find it hard to see how it would improve on the attractive rolling hills on the edge of Exmoor. I find nothing outstanding about it. Moreover, the house would be located in the middle of the field where it would disrupt the historic land use pattern rather than be integrated or enhance it. Overall, the proposed landscaping would not improve the character or appearance of the rolling countryside.
15. Given that its location is at odds with the landscape character, I see no likelihood that it might *raise standards of design more generally in rural areas*. Similarly, it would not *enhance its immediate setting, or be sensitive to the defining characteristics of the local area*. I find nothing that would make the design *truly outstanding*. Considering all the factors in NPPF 84e), all of which would need to be met, the scheme would fall well below the standard necessary for it to be *design of exceptional quality*.
16. The scheme was reviewed by a Design Panel for the Appellant which found unequivocal support for the proposal in designs of (a) exceptional quality and (b) landscape design. However, neither the Council nor local stakeholders participated in this. The Council's Design Review panel, with which the applicant declined to participate, found that the lack of regard to setting and context failed to reflect the highest standards, let alone amount to exceptional.
17. I note attempts to mitigate against carbon emissions, but these would be minor compared with those from transport to and from its isolated location, both from the residents' enclosed and outdoor parking provisions, and from visitors/delivery vehicles. There would also be very substantial embodied energy in its construction, particularly through the use of steel, zinc and reinforced concrete.
18. I have noted the scheme might deliver net gain for biology, and acknowledge the Appellant's understandable wish to create a home for his family. However, the biodiversity gains would be modest and there is an existing house on the farm.

Conclusion

19. For the reasons given above, I find that the proposals would harm the character and appearance of the area, contrary to LP Policies OC1 and NH5. As a result, it would fail to meet the highest standards of design required by LP Policy NH13. NPPF 84e) is a material consideration which could outweigh policy conflict or provide exceptional circumstances.

However, for the above reasons, I find that the design would not meet the high bar necessary for 84e) and that the appeal should fail.

D Nicholson

INSPECTOR