



Appeal Decision

Site visit made on 21 January 2026

by F Webber BSc (Hons), MSc, MRTPI, ACSM

an Inspector appointed by the Secretary of State

Decision date: 10 March 2026

Appeal Ref: APP/E3335/W/25/3376328

1 - 2 Water Street, Barrington, Ilminster, Somerset TA19 0JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Janet East against the decision of Somerset Council.
 - The application Ref is 22/01389/FUL.
 - The development proposed is the erection of new zero carbon dwelling in garden of 2 Water Street
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal site is within the Barrington Conservation Area ("the CA"). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act") requires special attention to be paid to preserving or enhancing the character or appearance of conservation areas.
3. The proposal has been considered by the Secretary of State in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (SI 571/2017). A screening direction has been issued which states that the proposal is not Environmental Impact Assessment development.

Main Issues

4. The main issues are whether the proposed development would:
 - preserve or enhance the character or appearance of the CA; and
 - have an effect on the Somerset Levels and Moors Special Protection Area and Ramsar ("the SPA / Ramsar").

Reasons

The significance of the CA

5. The site lies wholly within the CA and the proposed dwelling would be located in a small orchard, at a lower level and to the rear of the fenced garden of 'The Cottage' that fronts onto Water Street. To one side is a copse of trees and to the rear the boundary is defined by a planted hedgerow, which has in the past been laid. The appellant has indicated that this hedgerow and the pasture beyond are associated with the National Trust ("the NT") property Barrington Court, which also lies within the CA. Within the appeal site is a small modern steel shed.

6. Access to the site would be off one of two vehicular entrances to 1-2 Water Street, being the host property, which is now a single dwelling, set well back from the road and not in line with the other existing properties on the street. It is noted that the proposed dwelling would not be in line with the host property either. There is a large wood framed garden room / building to the rear of the host property. Public Right of Way Footpath L3/15 ("PRoW") passes through the grounds of Barrington Court proximate to the site.
7. Moreover, consistent with the considerations of Historic England (HE) the village of Barrington has developed in a linear pattern, emphasised by houses that often run parallel and tight to the road edges. The village has retained a strong cohesive character through the scale, form and materiality of buildings. Behind defined building lines, the land typically remains relatively open with modest ancillary structures, transitioning to the agricultural landscape beyond. Significance and special character are drawn from elements that include these key characteristics. The site itself, owing to its verdant and inherently rural characteristics, make a positive contribution to the CA's character and appearance.
8. The appellant has provided examples where dwellings / buildings within the CA do not follow a defined building line. However, most of the dwellings in Water Street, on the side where the appeal site is located, do run parallel and tight to the road. In addition, the land behind buildings tend to comprise / contain either garden, orchards or stands of trees. I noted upon inspection, that whilst some outbuildings and structures exist to the rear of these properties, these were typically of modest scale and stature. I also observed that more recent extensions to existing buildings and dwellings on the street tend to reflect the scale, form and materials use in the construction of the older properties.

The effect of the development on the significance of the CA

9. I accept that perceptibility of the proposed development would be of a highly restricted extent when viewing from Water Street. However, to assist in fully assessing the visibility of the proposed dwelling, I visited Barrington Court, to access the PRoW and to see whether views would be afforded from public viewpoints. Whilst my understanding is that the hedgerow, to the rear of the site, is infrequently managed, it was apparent that it does not provide a robust or consistent buffer to views. This not least because, as could be observed, the hedgerow vegetation is devoid of leaves during winter months. Moreover, the hedge is the main screening from viewpoints along the PRoW and its management falls outside of the control of the appellant. Thus, notwithstanding the presence of existing buildings close by, the proposed two-storey development would represent a noticeable urbanising addition to the site in question.
10. It is of further relevance that a building of alien appearance and shape with a conspicuous curved roof (albeit of green / planted specification) is proposed. Indeed, consistent with the considerations of HE, the scheme would fail to respond to the distinctive and cohesive character and appearance of the CA.
11. I also note that the proposed building materials and finishes would include timber boarding and aluminium, finishes not typical of the locality. Moreover, consistent with my above findings, the vernacular of dwellings within the CA would not be suitably respected in this case. I therefore find that the proposed dwelling, when also factoring the adverse urbanising influence of new two-storey development

setback from Water Street, would fail to preserve or enhance the character or appearance of the CA and thus cause harm to its heritage significance.

12. The degree of harm to the significance of the CA would, under the terms of the National Planning Policy Framework (December 2024) ("the Framework"), be less than substantial. The Framework requires less than substantial harm to a designated heritage asset to be weighed against the public benefits of the proposal.
13. The scheme would add a single additional unit of accessible accommodation to a struggling housing land supply and would be designed to be zero carbon. Further, small benefits to the economy / local facilities would prevail during construction and the occupational phase of development. However, owing to the limited scale of development under consideration, the public benefits of the scheme, even when considered in cumulative terms, would be modest. Consequently, such public benefits arising from the development would be insufficient to outweigh the harm identified to the CA. Therefore, the proposal is contrary to Policies EQ2 and EQ3 of the South Somerset Local Plan (SSLP) that, while seeking to support innovative design delivering low energy usage, require development to conserve and enhance the landscape character of the area as well as historic significance and local distinctiveness.

SPA / Ramsar

14. The site lies in proximity to the SPA / Ramsar. Adopting a precautionary principle and without mitigation, new residential development is likely to have a significant effect on the sensitive interest features of the SPA / Ramsar, from increased nitrate and phosphate levels either alone or in combination with other proposals causing harm to nature conservation. The Conservation of Habitats and Species Regulations 2017 (as amended) requires that, where a project is likely to have a significant effect on (a) European site(s) (either alone or in combination with other plans or projects), the competent authority must, before any grant of planning permission, make an appropriate assessment of the project's implications in view of the relevant conservation objectives. However, as I have found the development to be unacceptable for other reasons, it is not necessary for me to undertake an appropriate assessment. For the avoidance of doubt, even if I had done so and identified compliance with Policy EQ4 of the SSLP, it would not have affected my overall conclusions on this appeal.

Other Matters

15. Near the site, is the boundary of the Grade II* listed, registered Park and Garden ("the RPG"), associated with Barrington Court. Thus, the site falls within the setting of the RPG – the heritage significance of this asset is drawn from its inherent connection to Barrington Court, its formal garden spaces, and its extensive expanses of often well-vegetated rural land.
16. HE has indicated that the orchards from Barrington Court might have extended into the appeal site and therefore, the site holds the potential to contribute to the significance of the RPG. I have also noted reference by the NT to the triangular parcel of Trust land adjacent to the site, being known as the Turkey Orchard, and to the site itself once having comprised the southernmost section of said orchard (consistent with historic mapping). Whilst I do not dispute that orchards have always formed an essential component of the Barrington Court estate, the appeal

site, unlike the remaining Turkey Orchard, is set away from the RPG and thus does not comprise an influential part of its setting. Moreover, the small loss of orchard that is proposed (to involve no substantial losses of well-established planting) would not compromise the role performed by neighbouring land in promoting an open and verdant setting to the RPG. Therefore, without prejudice to my above findings on the first main issue in this appeal, the proposal would preserve the setting of the RPG. Thus, in this particular sense, the scheme complies with Policies EQ2 and EQ3 of the SSLP – the relevant requirements of which are set out above.

17. Section 66(1) of the Act requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any special features of special architectural or historic interest which it possesses.
18. Helen's Cottage is a Grade II listed building, this property is also known as Ellands Cottage, on Water Street, its significance and special interest is drawn in-part from its age, traditional materials, and relevance to the historic evolution of the village. Further, within the Barrington Court estate are the Grade II listed Barrington Court Farmhouse and the Grade II listed walled gardens to East of Barrington Court with Gateways. The significance and special interest of these listed buildings is drawn, in part, from their age, historic fabric, and intrinsic associations to Barrington Court. In respect of Helen's Cottage, excepting the point of access onto Water Street, the proposed dwelling would be screened by the intervening properties on Water Street. Regarding the two listed buildings within the estate, the intervening buildings and vegetation of the wider NT property would provide screening of the appeal site from the listed buildings. I thus see no clear reason to conclude that the proposal would not preserve the setting and historic interest of these identified listed buildings. Consequently, the proposed development, in the context of these particular assets, would not be contrary to Policies EQ2 and EQ3 of the SSLP - the requirements of which are set out above.
19. The Council acknowledges that it is unable to demonstrate a 5-year housing land supply and therefore the presumption in favour of sustainable development is potentially applicable. However, with reference to paragraph 11 d) i of the Framework, an exception is provided where policies in the Framework that protect assets of particular importance provide a strong reason for refusing the proposal. Footnote 7 includes designated heritage assets and Annex 2: Glossary identifies that the CA, falls within the description of designated heritage assets. On the basis that the scheme's public benefits would not outweigh the harm to heritage significance that I have identified, a strong reason for refusal prevails such that the presumption in favour of sustainable development does not apply.

Conclusion

20. In conclusion, the proposal would conflict with the development plan, when taken as a whole and there are no other material considerations, including the Framework, that outweigh this conflict. Therefore, the appeal should be dismissed.

F Webber

INSPECTOR