



Appeal Decision

Site visit made on 17 July 2017

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 09 August 2017

Appeal Ref: APP/R3325/W/17/3172867

**Land opposite Wearne Court, Wearne Main Road, Wearne, Langport
TA10 0QJ**

- 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 Mark Edwards against the decision of South Somerset District Council.
 - The application Ref 16/03005/FUL, dated 7 July 2016, was refused by notice dated 4 October 2016.
 - The development proposed is the conversion of a redundant barn to a dwelling and the formation of a new vehicular access for residential and agricultural use, and the closure of an existing access for vehicles.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. On the appeal questionnaire the Council indicates that the scheme would affect the setting of a listed building, and interested parties refer to that matter. However, the nearest listed building is at Pound Farmhouse which is on lower land some way from this site, and separated from it by a brook, garden, trees and hedgerows. The Council's decision does not allege adverse impacts on that building, and for the above reasons I concur that its setting would be preserved. I have no cogent evidence that a previous building on the site was within a listed building's curtilage.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Background

4. There are two barns on the site. A Certificate of Lawfulness was granted for the steel-framed barn and it would continue to be used for agricultural purposes. The other barn ('stone barn') is finished in a mix of stone, concrete blockwork, tiles and timber, and has a partially-walled enclosure.
5. There is disagreement between various parties regarding the extent of works that were previously undertaken to the stone barn. The appellant states that it was repaired, whilst others maintain that it was substantially or completely rebuilt. However, in its statement the Council sets out that the current

structure has been present for at least four years and that it is immune from enforcement action. As I have no reason to doubt that, I have dealt with the appeal on that basis.

Reasons

6. The appeal site comprises an elevated section of a much bigger field. Given its exposed hillside location, there are southerly views from here over the countryside, which comprises a mix of paddocks, hedgerows and woodland, with occasional, well-screened and scattered buildings. Although the site is not far from the hamlet of Wearne, landscaping significantly limits inter-visibility between them, and the immediate area has a very rural, undeveloped character. Whilst the site is not subject to any national landscape designation, the Peripheral Landscape Study - Langport/Huish Episcopi 2008 identifies it as falling within an area of high landscape sensitivity.
7. I have no reason to doubt the appellant's assertion at paragraph 4.1 of his statement that the stone barn is in a good structural condition. As a result of this scheme, its form and appearance would remain largely unaltered, and its existing openings would be mainly used.
8. However, the existing vehicular access into the field would be replaced by a pedestrian gate, and a new vehicular access would be created where I understand one previously existed, further to the east along Wearne Main Road. To provide visibility splays the banks either side of the access would be regraded and, although the appellant states that only a limited amount of the outer layer of the hedge would be removed, drawing nos. 479(00) 01A and 479(00) 02A show that a significant amount would be lost. In time, new planting would reinforce the retained hedge, but as a result of those splays this narrow road, lined by trees, hedgerows and earth banks, would have a distinctly less enclosed, rural feel.
9. To control the landscape impact of potential extensions or outbuildings, permitted development rights could be withdrawn. However, whilst some of the stone barn's curtilage would be contained by buildings and hedgerows, I have not been presented with a mechanism by which the location of typical domestic outdoor paraphernalia could be controlled. Given that the dwelling's curtilage would extend to the western field boundary and in front of the stone barn's walled enclosure, such paraphernalia in this very rural, largely undeveloped, and elevated location would harm the area's character.
10. The appellant points out that the existing stone barn is not subject to any lighting restrictions. However, given typical domestic lighting requirements, it seems to me that the prospects for significant night-time light spillage from such a use would be significantly greater than for a typical agricultural use. That impact, together with the landscape impact arising from the long internal access and the parking area, adds to the harm that I have found the scheme would cause.
11. Although the field has trees and hedgerows on its boundaries, and an additional hedgerow is proposed for the site's southern boundary, there would be public views of the scheme, particularly in the winter months, including from the public right of way to the south.

12. Policy EQ2 of the South Somerset Local Plan (2006-2028) 2015 sets out general development requirements, including the need to conserve and enhance the landscape character of the area. For the reasons above, the scheme would conflict with that objective, and with one of the National Planning Policy Framework ('Framework') core principles which is to recognise the intrinsic character and beauty of the countryside.
13. Whilst the Framework seeks to boost the supply of housing, it sets out at paragraph 55 that isolated new homes in the countryside should be avoided unless there are special circumstances such as where development would re-use a redundant or disused building and lead to an enhancement to the immediate setting.
14. Having regard to the appellant's statement and his letter dated 18 August 2016, I have no reason to doubt that he has no use for the stone barn. However, whilst the site is close to Wearne, it is visually separate from it, and from the small cluster of buildings around Pound Farmhouse. Wearne has very few amenities or services, and although the site is not far from the services in Langport and Huish Episcopi, they are generally approached via unlit country roads without pavements. Consequently, I conclude that this site is isolated.
15. At paragraphs 6.5 to 6.7 of his statement the appellant states that the scheme would deliver various enhancements. However, the proposed repair, use, and ongoing maintenance of the stone building, which is generally in a good condition, and the suggested highway safety improvements, would not constitute enhancements to the building's setting. Neither would a non-livestock restriction on the use of the agricultural building. Repairs to the small walled enclosure, would constitute only a very minor benefit, and do not outweigh the other visual harm that would be caused.
16. Although a small copse is proposed on lower-lying land in the opposite corner of the field, I have very few details of that, and given its location and limited size it would not represent an enhancement to the stone building's immediate setting. Additional hedgerow planting may partially mitigate the scheme's adverse landscape impact, including that arising from the long internal access, parking area and visibility splays, but would not constitute an enhancement. Consequently, the scheme would conflict with Framework paragraph 55.
17. Dead elm trees, which could pose a potential safety hazard, would be removed, although this scheme is not the only way in which that matter could be addressed.
18. As set out at paragraph 5.6 of the Access Statement prepared by Bellamy Transport Consultancy, the scheme would improve the ease with which vehicles, or other highway users, could pass one another along this stretch of Wearne Main Road. However, whilst the existing access onto the road has poor visibility, and agricultural vehicles may be large and slow-moving, I have little evidence to indicate that it was frequently used. In his letter dated 6 July 2017, the appellant refers to the land's current occasional use for grazing. I have had regard to Somerset County Council's response which, whilst raising concerns regarding the use of the existing access, does not point to an overall safety benefit. Consequently, I am not persuaded that the closure of the existing access, and the creation of a new access with better visibility, but which would be used by both residential and agricultural traffic, would result in an overall net highway safety benefit.

19. In its favour however, the scheme would make use of an existing building to make a very modest contribution to economic development and to the supply of housing. That in a district which cannot demonstrate a five year housing land supply as required by the Framework.
20. However, in this isolated location, notwithstanding the unlit and partially unconsolidated footpath link to Somerton Road and the evidence in the Access Statement, given the characteristics of the nearby road network, and the distance to fairly limited bus services, the occupants of the dwelling would most likely be reliant on the private car to meet many of their day-to-day needs.
21. For the above reasons, although the proposal would contribute in a small way to the social and economic dimensions at Framework paragraph 7, given the environmental harm that it would cause, it would not be the sustainable development for which the Framework places a presumption in favour. It would also conflict with the development plan when considered as a whole.
22. Whilst the appellant refers to a permitted conversion at Appledoor Barn, that was for a live/work unit, and that decision appears to precede the publication of the Framework. Additionally, it is not clear from the available evidence whether that scheme included improvements to that building's setting. It does not change my conclusions regarding the harm that would be caused here.
23. There were discussions with officers, and amendments following a previously withdrawn application on the site. The appellant has concerned regarding various allegations that were made during the application's consideration. As well as letters of objection I have considered the representations in support. However, the matters raised do not alter my overall conclusions, or tilt the balance in the scheme's favour. Consequently, having considered the scheme on its merits, and having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR