



## Appeal Decision

Site visit made on 21 January 2020

**by H Porter BA(Hons) MScDip IHBC**

**an Inspector appointed by the Secretary of State**

**Decision date: 05 February 2020**

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**Appeal Ref: APP/R3325/W/19/3239313**

**Land at Higher Beetham (Easting 327536, Northing 112076),  
Whitestaunton TA20 3PY**

- 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 K Parris against the decision of South Somerset District Council.
  - The application Ref 18/02808/FUL, dated 17 August 2018, was refused by notice dated 20 June 2019.
  - The development proposed is general purpose agricultural building.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the Blackdown Hills Area of Outstanding Natural Beauty (AONB); and the effect on the living conditions of nearby residents, with regards to noise and disturbance.

### Reasons

3. The appeal site is located downhill from an unclassified country lane that runs through the small hamlet of Beetham. The appeal site sits within a medium-sized field that is part of a wider agricultural holding of some 114 acres. Two large agricultural buildings and associated hardstanding already exist on the appeal site, and on the surrounding fields are a dilapidated Dutch barn and cattle building. Otherwise, the wider appeal site is devoid of permanent structures and is characterised by open arable fields bounded by mature hedgerows.
4. The wider appeal site forms part of the very attractive open countryside that surrounds Beetham and is within the Blackdown Hills AONB. Designated in 1991, the AONB comprises a distinctive, diverse rural landscape, characterised by a sense of relative remoteness and tranquillity. The verdant, undeveloped nature of the wider appeal site, with its mature hedgerow boundaries, is typical of the rolling, predominantly pastoral rural landscape that characterises The Blackdown Hills Plateau Escarpment Foothills and Valleys Visual Character Area<sup>1</sup>. The soft, informal and open qualities of the local landscape that

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<sup>1</sup> South Somerset Landscape Character Assessment, 1993

- surrounds the cluster of development in Beetham and includes the appeal site, therefore contribute to the intrinsic character and beauty of the countryside and to the special qualities of the wider AONB as a nationally important landscape.
5. The appeal structure would measure 46 metres long by 15.5 metres wide and constructed of steel portal-frame with concrete and timber sides under a fibre cement roof. The overall form would be similar of a similar form to the two existing buildings, albeit, cut into the ground, appearing lower in the landscape. It is proposed to introduce a bank created with excavated material topped with hedgerow planting along the southern side of the appeal building.
  6. The appeal building would increase the amount of built form on the appeal site by approximately a third, and the scale and mass of the three buildings together would be considerable. The proposal would perpetuate a gradual encroachment of hard, permanent structures onto the undeveloped pasture land that surrounds Beetham. In combination with the extant buildings on it, the proposal would erode the soft, verdant qualities of the appeal site and the contribution these make to the landscape character of the area.
  7. Even if ground-level excavations succeeded in lowering the perceptible ridge height, the excavations, in combination with the introduction of an earth bund, would be an engineered solution at odds with the natural slope of the field. The supplementary hedgerow on top of the raised bank would introduce a line of planting in the middle of the field that would extend only the length of the appeal building. Even though the supplementary hedge would include traditional species, its alignment would cause it to stand out as an arbitrary feature, which would neither integrate with the existing hedgerows, nor assimilate with the wider landscape.
  8. It is proposed to remove the Dutch barn and cattle building. Compared to the appeal building, however, these are substantially smaller scale and unobtrusive. While the removal of the Dutch barn would tidy the wider site, this would not compensate for the cumulative harm the appeal scheme would cause. Neither would any ecological benefits, once the supplementary hedge reached maturity, nor the retention of existing trees.
  9. The sloping local topography, existing structures, mature hedgerows and proposed supplementary, banked hedgerow, would provide some degree of screening. However, even if there would be no changes in views from any settlements, the appellant's Landscape Visual Impact Assessment (LVIA) concedes the proposed building would be visible from some vantages, including nearby public roads and rights of way. In any event, reducing visibility would not overcome the further incremental loss of an open, verdant field through the encroachment of substantial built form.
  10. For the above reasons, the proposed development would fail to protect or enhance the valued landscape and would undermine the intrinsic character, integrity and beauty of the countryside. Although the harm would be limited in its extent, the proposed development would nonetheless fail to conserve or enhance the landscape and scenic beauty of the AONB, a matter which is afforded great weight. Conflict arises with Saved Policy EQ2 of the South Somerset Local Plan (2006 – 2028), 2015 (the LP), insofar as it seeks to ensure development proposals conserve and enhance the landscape character of an area and does not risk the integrity of AONBs.

*Living conditions*

11. The proposed development would provide storage of stray, hay and machinery, with for sheltering livestock. The Council's Officer report considered that, even if the whole of the building was used for livestock, cattle buildings are not of the same intensity as, for example pig or poultry farming, and the distance to nearby dwellings would ensure adequate living conditions.
12. Countering this, however, are representations from interested parties who have had direct experience of the existing cattle enterprise and the odours and disturbance it already generates. Given the scale of the proposed structure, allocating a large proportion to calve-rearing could give rise to a significant increase in odours and disturbance. Consequently, the proposed development would fail to protect the living conditions of neighbouring residents. Conflict therefore arises with Saved Policy EQ2 and EQ7 of the LP insofar as these seek to ensure development proposals, on their own or cumulatively, and to protect residential amenity.

*Planning balance and conclusion*

13. Being inside the AONB, the appeal site is situated where the scale and extent of development should be limited<sup>2</sup>. National and local planning policies seek to support the rural economy and the Council does not dispute that the proposal is necessary to support the appellant's agricultural enterprise, high industry standards and animal welfare. I am sympathetic to this and recognise that previous applications to extend the extant buildings were refused.
14. Although there are examples of large agricultural buildings in the wider vicinity, those given in the LVIA are not usefully comparable to the site-specific circumstances applicable in this case, as they appear to be associated with a main farmstead. In any case, each case must be determined on its own merits. Matters of water supply and highway safety were considered by the Council and permission was not refused on either grounds; I see no reason to come to a different conclusion.
15. On balance, the cumulative weight of benefits to the appellant's enterprise and supporting the rural economy do not outweigh the significant weight that the harm to landscape and scenic beauty carries. Additionally, the proposed development would cause harm to neighbours' living conditions in respect of odours.
16. Given the above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*H Porter*

INSPECTOR

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<sup>2</sup> Paragraph 172 National Planning Policy Framework, Revised February 2019 (Framework)