



Appeal Decision

Site visit made on 12 June 2024

by H Faulkner BSc (Hons) MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2024

Appeal Ref: APP/E3335/D/24/3336445

Batts Farm, Batts Lane, Long Sutton, Somerset TA10 9EQ

- 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 Mr and Mrs Stradling against the decision of Somerset Council.
 - The application Ref is 23/01015/HOU.
 - The development is described as Proposed rebuilding of domestic garage and store.
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Decision

1. The appeal is allowed and planning permission is granted for the proposed rebuilding of domestic garage and store at Batts Farm, Long Sutton, TA10 9EQ in accordance with the terms of the application, Ref 23/01015/HOU, and the plans submitted with it, subject to the conditions in the attached schedule.
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos:
 - 763(00)03C Proposed Site Plan
 - 763(00)04C Proposed Floor Plan/Elevation/Section
 - 3) The external timber cladding on the building hereby approved shall be left to weather naturally and shall only be treated with products with a clear finish.

Main Issue

2. The main issue is the effect of the proposed garage/store on the character and appearance of the surrounding area.

Reasons

3. The appeal site is in a rural location outside of any significant settlement. The site consists of what was originally a farmhouse and farm buildings. The barns are now in ancillary residential use as confirmed by a recent Lawful Development Certificate¹. These buildings are clustered with other converted farm buildings and houses. A two-storey converted barn to the east is particularly prominent as it dominates the corner of Vedal Drove and Batts Lane.

¹ Reference 23/01698/COL issued 25 September 2023.

4. The farmhouse and adjacent converted barns are constructed of predominately natural stone with clay roof tiles, some timber boarding has also been used. These buildings are attractive and contribute to the area's rural character.
5. The barns on the site are a mix of materials including natural stone, timber, and metal sheeting. They have a more unkempt appearance, for example rusting metal sheeting and missing panels. Whilst they do not enhance the area their agricultural appearance means they do not look out of place in the countryside.
6. The proposed building has been designed to look like a barn. The natural stone wall and timber boarding would be consistent with materials used in the surrounding buildings, including the barn to the east of the farmhouse. The barns and outbuildings on and around the site are arranged in an informal layout consistent with the former agricultural use. The proposed building would be seen as a logical addition to this cluster.
7. The council argue that the building would be a similar height to the existing farmhouse and would be dominant and compete with the main dwelling. However, the farmhouse is surrounded by other buildings of a similar scale including the converted barn to the east and the Dutch barn. The presence of these buildings informs the context and character of the site regardless of their use.
8. The council considers that the building would tower over the road where there is currently open skyline and that there would be no natural screening. The site is adjacent to an open field and there would also be views through the site. Any loss of skyline would only be immediate to the building and has a very limited impact. It is not disputed that the building would be visible and fairly prominent from the highway, but in the context of a well-established former farmstead comprising large scale buildings near to the roadside, this would not be harmful.
9. The refusal reason refers to the justification for the building referencing Policies SD1 and EQ2 of the South Somerset Local Plan (SSLP). There is no requirement within either of these policies for the need for this type of development to be demonstrated and no policies have been presented relating to what can or cannot be considered as an ancillary building. The council claim that there are other buildings on the site which could be used for the proposed uses. However, there is no requirement for the appellant to demonstrate whether they could use existing buildings.
10. Policy EQ2 requires that new buildings promote local distinctiveness which the building does by having an agricultural design amongst buildings with similar character. The proposal would also comply with the part of the policy which seeks to preserve character.
11. For the reasons set out above it is therefore concluded that the proposed would not be harmful to the rural character and appearance of the area and would not conflict with Policies SD1 and EQ2 of the SSSLP, or the aims of the National Planning Policy Framework.

Conditions

12. A standard time condition and an accord with plans condition are included in the interests of clarity and certainty. A condition securing the finish materials is

not required as the details of the external surfaces are included within the approved plans.

13. The Council has suggested a condition to restrict the future use of the proposed building, with the reason given this would be in the interests of highway safety. No evidence has been provided to demonstrate why the use of the building for purposes other than parking or storage would be harmful in this respect. Likewise, it is not clear why a condition is necessary to prevent habitable accommodation in order to comply with Policy EQ2 or the living conditions of neighbouring occupants.
14. A condition is however, required to secure the appearance of the timber boarding in the interest of the character and appearance of the area.

Conclusion

15. For the reasons given above I find that the development conforms with the development plan. There are no material considerations that have been shown to carry sufficient weight to indicate a different conclusion should be reached. I therefore conclude that the appeal should be allowed.

H Faulkner

INSPECTOR