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## Appeal Decision

Site visit made on 14 June 2016

**by Debbie Moore BSC (HONS) MCD MRTPI PGDip**

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

**Decision date: 15 July 2016**

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**Appeal Ref: APP/R3325/W/16/3146933**

**Walters Farm, 6 Queen Street, Tintinhull, Yeovil BA22 8PQ.**

- 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 Dr and Mrs E Lorch against the decision of South Somerset District Council.
  - The application Ref 15/05080/FUL, dated 12 November 2015, was refused by notice dated 13 January 2016.
  - The development proposed is described as "erection of a single dwelling house and extension of existing car port with associated landscaping".
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issue is the effect of the proposed development on the character and appearance of the area, particularly the Tintinhull Conservation Area.

### Reasons

3. The appeal site forms part of the garden of Walters Farm and is located to the rear of several properties fronting Queen Street. The core of Tintinhull village lies to the south of the site and the existing development extends northwards in a linear pattern along Queen Street, towards the A303 main road. The Conservation Area is centred on the village core and includes part of Queen Street and areas of open space to the west.
  4. The Conservation Area's significance as a heritage asset lies in the architectural quality of its historic buildings and also the layout of the village, which reflects its development and growth over the centuries. The linear form of development along Queen Street is particularly significant as this part of the village follows a clear and defined settlement pattern. The boundary to the Conservation Area runs along the rear of the properties on Queen Street, excluding the larger part of the appeal site and other open land to the east.
  5. The appeal site is an established garden and is predominantly open in character. Although the site currently contains domestic buildings, these are of a low profile and are clearly ancillary to the main house. The site forms part of the transition between the village and the countryside and makes a positive contribution to the setting of the Conservation Area and to the character and appearance of the wider village. Similarly, the area for schooling horses,
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- adjoining the site to the east, has a rural appearance and is more closely related to the countryside than the settlement.
6. The development of the site would not reflect the linear pattern of development in this part of the Conservation Area. It would result in the loss of part of an open garden which currently makes a positive contribution to the setting of the Conservation Area. Consequently, the proposal would adversely affect the significance of the heritage asset. Although views from public viewpoints are minimal, the development would be visible from several adjoining properties and it would be an intrusion into the countryside in this location, and would be out of character with the established pattern of development.
  7. I have taken into account the cul-de-sac 'Little Trumps' located to the north of the appeal site on Queen Street. The cul-de-sac is further away from the village core where the linear pattern of development gives way to more modern housing. Also, the houses in this small development are grouped in a relatively high density which limits its intrusive effect. Consequently, the effect of this development on the significance of the Conservation Area is limited. Other buildings at the rear of the houses on Queen Street tend to be small domestic structures and sheds which have minimal visual impact.
  8. The development would not preserve or enhance the character and appearance of the Conservation Area, and would be out of character with the established pattern of development. Consequently, the proposal would not accord with Policy EQ2 of the adopted South Somerset Local Plan 2006–2028 (2015) which seeks to ensure high quality design that preserves or enhances the character and appearance of the district, and Policy EQ3 of the Local Plan which seeks to ensure the conservation and, where appropriate, the enhancement of heritage assets. The proposal also fails to meet the aims of the National Planning Policy Framework (the Framework) in this respect.

### **Other matters**

9. Walters Farm is one of a group of listed buildings on Queen Street. The significance of the group is in the architectural style and detailing, and the positive contribution the listed buildings make to the distinctive character and appearance of the Conservation Area. The development would be located some distance from the group of listed buildings and consequently the proposal would preserve the setting of the listed buildings. However, this does not overcome the harm to the wider Conservation Area, as identified above.
10. The development would be accessed from Queen Street using the existing drive between Nos 8 and 10. The access would pass close to a residential annexe associated with Walter's Farm. It appears that the annexe has been altered in response to the Council's concerns about noise and disturbance from the increased use of the driveway. At the time of my site visit, the glazed doors at the gable end of the annexe had been replaced with solid wooden doors. The Council confirms that this alteration overcomes the second reason for refusal. Consequently, I have not examined this issue as part of the appeal.
11. Policy HG4 of the Local Plan requires all development of one to five houses to make a financial contribution towards the provision of affordable housing in the district. I have found that the development would not be acceptable for the reasons stated above so it is not necessary to consider whether a contribution toward affordable housing would be justified in this particular instance.

12. Tintinhull is identified in generic terms as a 'Rural Settlement' and considered to be within the countryside, where development is strictly controlled under Policies SS1 and SS2 of the Local Plan. The Council acknowledges that it cannot demonstrate a five-year supply of deliverable housing sites and consequently, housing supply policies SS1 and SS2 are considered out-of-date. However, I have found that the development would adversely affect the significance and the character and appearance of a designated heritage asset. Having regard to paragraph 132 of the Framework, I attach great weight to the asset's conservation and find that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the limited benefit that the addition of one house would make to the District's housing supply.

### **Conclusion**

13. I find that the proposal would undermine the Conservation Area and consequently it would cause harm to the character and appearance of the area. Whilst the harm arising would be relatively localised and therefore less than substantial in terms of national policy, I give great weight to the protection of the Conservation Area as a designated heritage asset. I understand the appellant's desire to build a home for a family member, however, there are no clear public benefits to outweigh the harm in this instance.

14. Consequently, the appeal should be dismissed.

*Debbie Moore*

Inspector