
Appeal Decision

Site visit made on 1 November 2021

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 November 2021

Appeal Ref: APP/F0114/W/21/3276727

Parcel 7805, Mill Road, Radstock BA3 5TY

- 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 Terry Hillier against the decision of Bath & North East Somerset Council.
 - The application Ref 21/00886/FUL, dated 25 February 2021, was refused by notice dated 6 May 2021.
 - The development is described as “retention of an outbuilding”.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of an outbuilding at Parcel 7805, Mill Road, Radstock BA3 5TY in accordance with the terms of the application, Ref 21/00886/FUL, dated 25 February 2021, subject to the following condition:
 - 1) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Meadway, Mill Road, Radstock BA3 5TY.

Procedural Matters

2. The above description of development is taken from the application form. However, ‘retention’ is not an act of development under Section 55 of the Act. I have determined the appeal on the basis that planning permission is being sought retrospectively for the erection of the building. My formal decision uses wording to reflect this.
3. Subsequent to the Council issuing its decision, a revised National Planning Policy Framework (‘the Framework’) was published. The parties have had an opportunity to comment on the implications for the appeal.

Main Issue

4. The main issue is the effect of the building on the character and appearance of the area.

Reasons

5. The appeal site is located at the eastern end of Mill Road, directly opposite the entrance to the residential property known as Meadway which is occupied by the appellant. The character of this part of Radstock is dominated by the Mill Road Industrial Estate which flanks Wellow Brook in the valley bottom. This

entire area, including the appeal site and undeveloped land adjacent, has been consciously omitted from the Radstock Conservation Area, in view of its lack of special architectural or historic interest. The immediate locality of the appeal site is relatively verdant but its rural qualities have been significantly eroded by extensive domestic species hedging and noise from nearby Radstock Mill.

6. The building which is the subject of this appeal is overly large for a domestic outbuilding, having been designed to accommodate a motorhome. However, the development is not viewed in the context of the host dwelling which lies on the opposite side of Mill Road. Rather it is read as a building on the periphery of an industrial estate. Users of Mill Road experience various large industrial premises to the west of the site, a substantial mill across the brook to the north and a sizeable sewage treatment works further to the east. This is a zone of transition, with the site relating more closely to the industrial estate than the rural areas outside the settlement. I note in this regard that the site has been excluded from the Landscape Setting for Radstock which Policy NE2A of the Bath and North East Somerset Placemaking Plan (2017) (PmP) seeks to preserve and enhance.
7. The decision notice cites Policy CP6 of the Bath and North East Somerset Core Strategy (2014) and Policies D1 and D2 of the PmP. The general thrust of these policies, as they have been applied to the appeal scheme, is to ensure that new development is of high quality design and respects its local context. Policy NE2B of the PmP, which relates to proposals to extend residential garden land, seeks to ensure, amongst other things, that there are no adverse impacts on the setting of the site or local rural landscape character.
8. Based on my observations at the site visit, I am satisfied that the appeal building does not jar with its surroundings. Its design is appropriate to the location and the traditional materials¹ are far more attractive than those employed on nearby factory units. Furthermore, the use of the site for the parking of a motor home is low key. As a result, the development does not cause unacceptable harm to the character or appearance of the area. There are no substantive conflicts with the aforementioned development plan policies.

Conclusion

9. For the reasons given above I conclude that the appeal should be allowed. I have attached a condition to restrict the use of the building to purposes ancillary to the residential use of the dwelling known as Meadway. This will reflect the basis on which the application was considered and will ensure that the local planning authority is able to consider the planning merits of any alternative use. The Council's suggested condition to secure compliance with the approved plans is not necessary as the development is complete.

Robert Parker

INSPECTOR

¹ Waney edge larch shiplap boarding for the external walls and clay double roman tiles on the roof.