



Appeal Decision

Site visit made on 17 November 2021

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 November 2021

Appeal Ref: APP/W3330/D/21/3281146

Orchard Court, Blagdon Hill Road, Blagdon Hill, Taunton TA3 7SL

- 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 P James against the decision of Somerset West and Taunton Council.
 - The application Ref 30/21/0026, dated 12 May 2021, was refused by notice dated 25 June 2021.
 - The development proposed is the erection of a new implement shed.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a new implement shed at Orchard Court, Blagdon Hill Road, Blagdon Hill, Taunton TA3 7SL under the terms of the application Ref: 30/21/0026, dated 12 May 2021, and in accordance with the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 01 Rev B, 02 Rev C, 06 Rev A.

Main Issue

2. The effect of the proposal on the character and appearance of the area, with reference to the Blackdown Hills Area of Outstanding Natural Beauty (AONB).

Reasons

3. Orchard Court and its grounds are at the south edge of Blagdon Hill village, just within the AONB, the landscape and scenic beauty of which has the highest status of protection. The shed would be constructed at the south end of the site, just outside of Blagdon Hill's settlement boundary. This part of the site is well screened from the public realm by dense and high boundary vegetation. It is currently in use for open air domestic storage. As such, it contributes very little sense of openness to the AONB.
4. The shed would be small with a traditional form and palette of materials. It would be well screened by the boundary greenery, with just the pitched roof and the top of its west gable likely to make any substantive impression on the street scene. It would be viewed as a subservient structure enclosed within the grounds of and well associated with Orchard Court. As such, the landscape and scenic beauty of the AONB would be unchallenged.
5. Accordingly, the proposal would have an acceptable effect on the character and appearance of the area, with reference to the AONB. It would accord with the

relevant aims of Policies CP8 and DM1 of the Taunton Deane Core Strategy 2011-2028 (adopted 2012) and the National Planning Policy Framework. Reference has also been made to Policy D5 of the Taunton Site Allocations and Development Management Plan (adopted 2016) However, as this policy relates to extensions to dwellings, not the erection of outbuildings, it is not relevant.

Other Matters

6. The Council has also referred to the alleged absence of a proven need for the implement shed. However, I can see nothing in the Council's evidence, including the policies upon which it has relied, that explains or justifies why a domestic outbuilding within established residential curtilage is required to have a proven domestic, or indeed agricultural, need. Nonetheless, I am satisfied that the size of the shed is proportionate to the logical maintenance and storage demands emanating from Orchard Court's grounds, particularly given the amount of storage already in situ at the shed's proposed location.

Conditions and Conclusion

7. In addition to the standard time condition, it is necessary for a condition to identify the plans in the interest of certainty. Given that suitable finish materials are annotated on the proposed plans, it is not necessary for a condition to insist that the shed match materials present on Orchard Court. The Council has also suggested that the shed should be restricted to ancillary uses in association with Orchard Court. However, as the shed is proposed for uses incidental to the dwelling, that would fail the test of reasonableness.
8. For the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be allowed.

Matthew Jones

INSPECTOR