



Appeal Decision

Site visit made on 10 April 2024

by **D Cramond** BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 May 2024

Appeal Ref: APP/E3335/D/23/3334900

1 Higher Meadow, Ilminster, Somerset, TA19 9FL

- 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 and Mrs P Lister against the decision of Somerset Council.
 - The application Ref 23/02274/HOU, dated 6 September 2023, was refused by notice dated 1 November 2023.
 - The development proposed is the erection of a detached car port.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached car port at 1 Higher Meadow, Ilminster, Somerset, TA19 9FL in accordance with the terms of the application, Ref 23/02274/HOU, dated 6 September 2023, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The carport shall be used solely for the purposes of parking of vehicles (including motorcycles and bicycles) incidental to the occupation and enjoyment of the main dwelling to which they serve and kept permanently free from any other forms of obstruction.
 3. The development hereby permitted shall be carried out in accordance with the following approved plans: LCPP1, LCPP2, LCPP3, LCPP4, LCPP5 and the Planning Statement.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the locality.

Reasons

3. The appeal site includes a modern two storey end of terrace home with its curtilage in a corner of a well-designed small scheme close to, but visually discrete from, the centre of the town. The proposal is a pitched roof timber and slate open sided car port measuring about 5.9m x 5.9m, with ridge height of about 4.4m eaves around 2.34m
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4. The site lies within a Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Policy EQ3 of the South Somerset Local Plan (2006-28) (LP) reflects the importance placed on Conservation Areas.
5. To my mind the proposed carport would be innocuous in the immediate or wider scene, with the latter being very restricted in any event. The small housing development has a range of roof types, orientations, and also means of car storage, including car ports. The planned structure would be at the end of a short length of road and drive and would not appear alien in form or illogical in use. Materials would be suitably unremarkable and scale not excessive given the abutting two storey dwelling. There would be no disruption to the aesthetic or historic qualities of the immediate part of the Conservation Area or its extensive whole.
6. Having regard to the foregoing I conclude that there would not be conflict with S72(1) of the Act or LP Policy EQ3; there would be preservation of the character and appearance of the Conservation Area. Additionally, I conclude that the scheme would run not contrary to LP Policy EQ2 which calls for high quality development embodying local distinctiveness and respecting local character.

Conditions

7. I agree with the Council that the standard commencement condition should be applied and that there should be a condition that works are to be carried out in accordance with listed, approved, plans; to provide certainty. The developed area should be kept available for parking; for highway safety and visual amenity reasons. External materials are specified within the submission and do not require a specific condition.

Overall conclusion

8. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the character and appearance of the locality. Accordingly, the appeal is allowed.

D Cramond

INSPECTOR