



Appeal Decision

Site visit made on 12 September 2024

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd October 2024

Appeal Ref: APP/E3335/W/24/3337718

Land to rear of Southcott, Belle View Terrace, School Lane, Tatworth, Chard TA20 2RZ.

- 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 J Matherick (Jon Matherick Building Contractor Ltd) against the decision of Somerset Council.
 - The application Ref is 23/01699/FUL.
 - The development proposed is the renewal of planning consent 21/03461/FUL for the change of use of land for the siting of two container units for storage use in connection with building business.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site forms part of a field that is used for sheep grazing on the edge of the village of Tatworth. It therefore has a rural appearance which conforms with the wider character of the area. The appellant is seeking to renew a temporary planning permission which was granted in January 2022. The permission allowed the siting of two storage containers on the site for a period of 12 months.
4. The containers are of an overtly industrial appearance which is very much at odds with the character of the immediate surroundings. Indeed, their presence somewhat detracts from the rurality of the area and therefore has resulted in clear and obvious harm. While I acknowledge that the containers are not visible from public areas, this does not eliminate the harm completely. Moreover, it is likely that they can be seen from the rear windows of the dwellings nearby.
5. On this basis, the development conflicts with Policies EP4 and EQ2 of the South Somerset Local Plan, March 2015. The relevant aspects of these policies seek to preserve character and appearance, including as part of proposals for the expansion of existing businesses in the countryside.

Other Matters

6. Nearly three years has passed since the original temporary permission was granted. From the evidence, it is unclear to me why alternative storage options could not have been secured within that time period, other than that the location of the appeal site is convenient. Therefore, while it is possible that the dismissal of this appeal could have some effect on the appellant's business, this is a matter that I give little weight to. Furthermore, given the harm that I have identified, I do not consider that a further temporary permission is appropriate.
7. The appellant has set out that pre-application discussions have been undertaken with the Council with regards to the potential to build a dwelling on the appeal site. The appellant also intends to apply for a change of use for a barn on the site. However, as far as I am aware, permission has not been granted for these schemes. In any event, any such proposals would not justify the approval of a separate scheme that leads to harm and therefore this issue has little bearing upon my decision.

Conclusion

8. The proposed development conflicts with the development plan when considered as a whole. There are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. The appeal is therefore dismissed.

C Butcher

INSPECTOR