



Appeal Decision

Site visit made on 7 February 2025

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 February 2025

Appeal Ref: APP/F0114/W/24/3355777

2 Northend, Rock Road, Welton, Midsomer Norton, Radstock BA3 2AH

- 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 Ollie Davis against the decision of Bath and North East Somerset Council.
 - The application Ref is 24/02222/FUL.
 - The development proposed is a single-storey outbuilding.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have removed the word retrospective from the description of development above, as it does not describe development. However, for the avoidance of doubt, I saw on site that the outbuilding is in place, in accordance with the plans before me, and I have considered the appeal on the basis that the development has already taken place.

Main Issue

3. The main issue in this case is whether the proposed development preserves or enhances the character or appearance of the Midsomer Norton Conservation Area (CA).

Reasons

4. The appeal site is located within the Midsomer Norton CA. From my observations and the Midsomer Norton and Welton Conservation Area Character Appraisal and Management Plan (CAMP), the significance of the CA in part derives from the major positive contribution of trees and groups of trees, in addition to grassed and wooded batches and other important green public open spaces, towards softening the surrounding townscape and providing a sense of spaciousness.
5. I observed that the vegetated verges found along both sides of the Wellow Brook next to the appeal site, which include a number of trees and are free from built form, contribute positively to the softening of the surrounding townscape and sense of spaciousness. Indeed, the CAMP sets out that Wellow Brook has green spaces and links that make a positive visual and spatial contribution to local character.
6. The outbuilding sits next to a parking area and footpath. There are a number of nearby timber outbuildings visible. However, these are behind timber fencing and within the garden areas of nearby dwellings. The proposed outbuilding sits

conspicuously apart from other structures and within the surrounding verdant verge. Whilst modest in scale and finished in appropriate materials, it incongruously sits within the surrounding vegetation and appears as development intruding into the vegetated verge of Wellow Bank. The general sense of spaciousness is compromised and the positive contribution of the brook verge to the character and appearance of the CA has therefore been harmed.

7. Whilst the surrounding vegetation obscures the outbuilding from distance views, the unsympathetic siting of the building is prominent from the footpath. The development results in harm to the significance of the CA. Given the localised impact of the development, this amounts to less than substantial harm.
8. Any benefit from the prevention or reduction of incidents of littering and indiscriminate parking would be small, given the small scale of the site. Similarly, for the same reason, the improvement to the quality of accommodation of the appeal property is a minor public benefit.
9. Even if the development is erected on previously developed land, given the harmful location and visual impact of the structure outlined above, this benefit would also be small.
10. As such, I find that the sum of wider public benefits associated with the appeal scheme does not outweigh the less than substantial harm to the significance of the CA as a designated heritage asset, to which I attach great weight as required by the Framework.
11. For the above reasons, I therefore find that the development does not preserve nor enhance the character or appearance of the Midsomer Norton CA. The proposal therefore conflicts with those aims of Policies D1, D2 and HE1 of the Core Strategy and Placemaking Plan (2023) and Policy CP6 of the Core Strategy (2014), which collectively seek to ensure a high standard of design and development that conserves or enhances the character and appearance of the CA.

Other Matters

12. Issue is raised in relation to the possible siting of the outbuilding on land separate from the residential curtilage of No 2. As I am dismissing the scheme for other matters, I have not looked into this matter further.

Conclusion

13. The proposal is contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

B Phillips

INSPECTOR