



Appeal Decision

Site visit made on 30 January 2019

by **M Bale BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 01 March 2019

Appeal Ref: APP/R3325/W/18/3210133

The Forge, Gibbet Road, Elliscombe, Maperton, Wincanton, Somerset BA9 8EA

- 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 Michael Gillman against the decision of South Somerset District Council.
 - The application Ref 18/00275/FUL, dated 12 January 2018, was refused by notice dated 8 March 2018.
 - The development proposed is the erection of extension to existing barn/agricultural store to replace existing buildings to be demolished.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of extension to existing barn/agricultural store to replace existing buildings to be demolished at The Forge, Gibbet Road, Elliscombe, Maperton, Wincanton, Somerset BA9 8EA in accordance with the terms of the application, Ref 18/00275/FUL, dated 12 January 2018, subject to 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: 'As Existing'; 'As Proposed'; 'Site & roof plans'.
 - 3) Within 1 month of the building hereby permitted being brought into use, the existing buildings indicated as 'existing building to be removed' on the plans hereby permitted shall be completely demolished and all resultant materials removed from the site.

Procedural matters

2. The address of the appeal site differs on the application and appeal forms. I have used the address from the application form.
3. Following my site visit I wrote to both parties seeking their views as to the appropriateness of a condition requiring the demolition of existing buildings. I have had regard to the responses received.

Main Issue

4. The main issue is whether the proposed building is an acceptable form of development with regard to local and national planning policy.

Reasons

5. Policy SD1 of the South Somerset Local Plan 2006-2028 (LP) clarifies that the Council will take a proactive approach, seeking to secure development that improves the economic, social and environmental conditions within the district. LP Policy EQ2 aims to protect and enhance the natural environment and conserve the countryside. As such, development proposals should be of a high quality, promoting local distinctiveness and preserving or enhancing the character and appearance of the district.
6. The Council is concerned that there is no compelling agricultural need for the building and that the size proposed may be greater than the appellant's requirements. However, this does not amount to substantive planning harm in the context of LP Policies SD1, EQ2 or the National Planning Policy Framework. Moreover, the proposal would result in the replacement of the existing, somewhat dilapidated structures rather than the creation of significant additional built form.
7. The Council's officer report clarifies that the building would facilitate a general tidying up to make a more attractive site and would not harm the living conditions of nearby neighbours. I find that these outcomes meet the aims of LP Policies SD1 and EQ2.
8. I note some concerns stemming from previous allegations of residential occupation at the site but that has limited bearing on this proposal to replace and extend agricultural buildings. The provision of a toilet and small area separate from the main floor area within the proposed building does not signify a residential use, which in any case is not a part of the proposal as described. I, therefore, attach limited weight to these matters.
9. A plans condition is required in the interests of certainty. To ensure that there is no significant increase in built form at the site, a condition is required to ensure the demolition of the existing structures.

Conclusion

10. For the reasons given above I conclude that the appeal should be allowed.

M Bale

INSPECTOR