

30/2006/043

MR & MRS D PERRATT & MR & MRS J KELLY

RETENTION OF USE OF LAND AS GARDEN WITH TIMBER SHEDS TO REAR OF FLINTSTONES AND GLENGARRY, BLAGDON HILL

321059/118046

RETENTION

PROPOSAL

The proposal is to retain an area of land to the rear of two existing properties, formerly paddock, as grassed garden area, together with two timber sheds and with landscape planting to the boundary with the Area of Outstanding Natural Beauty.

CONSULTATIONS AND REPRESENTATIONS

LANDSCAPE OFFICER my main concern is that the proposed retention of the gardens sheds extend the domestic character of the properties towards the AONB and open countryside see Policies EN10 and EN12.

PARISH COUNCIL objects for the following reasons:- the proposed retention of the development constitutes an undesirable extension of residential development beyond the recognised limits of the existing settlement, and this has had a detrimental impact on the character and appearance of the open countryside and on the setting of the adjoining Area of Outstanding Natural Beauty. The proposal is contrary to Taunton Deane Local Plan Policies S1 and EN10 and Somerset and Exmoor National Park Joint Structure Plan Review Policies 3 and STR6. The proposed retention of the development will set an undesirable precedent and will be likely to encourage similar proposals in respect of other land in the vicinity, which might then be difficult to resist and the cumulative effect would further detract from the character and appearance of this Area of Outstanding Beauty. If allowed, it would send a strong signal to this parish and other communities that by carrying out development that has already been refused, and then applying for retention, the decision will be reversed. This would then have the effect of degrading the planning system. The applicants were aware when purchasing their dwellings that an application had been made and refused for planning permission for change of use from agricultural to residential land.

1 LETTER OF OBJECTION has been received raising the following issues:- breach of the building line on the edge of the AONB; the sheds are an eyesore and use would set precedent that bodes ill for Blagdon Hill.

POLICY CONTEXT

Taunton Deane Local Plan Policies S1 – General Requirements, S7 – Outside Settlement Limits, EN9 – Tree Planting, EN10 – Areas of Outstanding Natural Beauty, EN12 – Landscape Character Areas.

ASSESSMENT

The proposal is to retain an area of land as garden with two timber sheds for mower storage to the rear of two new properties granted permission in 2004. Previous permission for change of use of the land was refused in 2005 on the basis of detrimental impact on the appearance of the countryside and AONB and precedent.

The current application proposes additional native landscape planting to the boundaries to provide a natural buffer between the site and the AONB. The current site lies outside the AONB but also outside the village settlement limit. The proposed planting would secure a native planting boundary to the site and it is not considered that the proposal would cause harm to the character of the rural area or the adjacent Area of Outstanding Natural Beauty and it is considered in line with Policies EN10 and EN12 of the Local Plan.

The area of land concerned is adjacent to a paddock area which lies outside the settlement boundary but also outside the AONB. It is the only area of land with this status on the western side of the village and the applicants are willing to accept a condition preventing further built development on this land. This would protect the character of the area and is not considered to cause any harm. Concern has been raised over the paddock land to the south. However this is in separate ownership and lies outside the village boundary whereby any form of built development will require planning permission. The approval of the current application is therefore not seen as a precedent for allowing future built development in this location.

RECOMMENDATION

Permission be GRANTED subject to conditions of landscape planting and removal of rights for further buildings or enclosures on the land.

REASON(S) FOR RECOMMENDATION:- The proposal is not considered to adversely harm the setting of the village, the AONB or the amenity of neighbours and is considered to comply with Taunton Deane Local Plan Policies S1, EN10 and EN12 and material considerations do not indicate otherwise.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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NOTES:

