
Appeal Decisions

Site visit made on 13 December 2016

by Olivia Spencer BA BSc DipArch RIBA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 06 January 2017

Appeal A Ref: APP/H3320/D/16/3157561

55 Cleeve Park, Chapel Cleeve, Minehead, Somerset TA24 6JF

- 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 Dr Penny Rawson against the decision of West Somerset Council.
 - The application Ref 3/26/16/009, dated 23 March 2016, was refused by notice dated 13 May 2016.
 - The development proposed is described as 'extend the back to provide an ensuite to bedroom 1 which along with the kitchen and lounge is enlarged. Extension to the side to provide a study which accesses the chalet via the existing storage/airing/immersion tank cupboard which moves to the area labelled storage off the lounge adjacent to the ensuite'.
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Appeal B Ref: APP/H3320/D/16/3159772

55 Cleeve Park, Chapel Cleeve, Minehead, Somerset TA24 6JF

- 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 Dr Penny Rawson against the decision of West Somerset Council.
 - The application Ref 3/26/16/015, dated 15 May 2016, was refused by notice dated 30 June 2016.
 - The development proposed is a rear extension (3.6m) to extend kitchen/lounge/bedroom to provide ensuite/storage.
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Decisions

1. Appeal A is dismissed.
 2. Appeal B : The appeal is allowed and planning permission is granted for a rear extension (3.6m) to extend kitchen/lounge/bedroom to provide ensuite/storage at 55 Cleeve Park, Chapel Cleeve, Minehead, Somerset TA24 6JF in accordance with the terms of the application, Ref 3/26/16/015, dated 15 May 2016, 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 plan: Drawing No.1 Rev E.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
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- 4) The windows to be constructed in the north and south elevations shall be obscure glazed and non-opening and thereafter permanently retained as such.

Application for costs

3. Applications for costs were made by Dr Penny Rawson against West Somerset Council. The applications are the subject of a separate Decision.

Main Issue

4. The main issue is the effect of the proposed developments on the character and appearance of the area.

Reasons

5. The character of the group of chalets in Cleeve Park may have evolved since the 1960s as a result of changing ownership and patterns of occupation. Nevertheless they have retained a distinctive character and appearance derived from their modest scale, simple single storey form, consistent palette of materials and their woodland setting. As noted in previous appeal decisions¹ they are typically sited in a fairly regular pattern along narrow roads with similar spacing between the buildings that permit views to the vegetation, fields and hills beyond.
6. The proposal that is the subject of Appeal A includes a side extension to accommodate a study that would significantly reduce the gap between nos. 55 and 56, harmfully reducing the visual permeability of the street scene and the distinctive integration of the chalets with their landscape setting. I saw on my site visit porches and other structures on or adjacent to neighbouring chalets. However none had a similar impact on the gap between the dwellings and I am in any case unaware of the planning history of these or changes to buildings in the other chalet group further to the north. No direct comparison can therefore be made with the appeal schemes which I have considered on their own merits.
7. I conclude that the Appeal A proposal would therefore be detrimental to the character and appearance of the area contrary to Policies BD/1 and BD/3 of the West Somerset District Local Plan (LP) 2006 which require new development and extensions to be sympathetic to the scale and layout of existing buildings.
8. The Appeal B proposal on the other hand includes no side addition. At some 60.3% increase in floor area it would be smaller than those refused previously on appeal and the extension would be confined to the rear of the existing chalet where, as noted in the Officer's report, it would not be seen from the public highway. The ridge would not be raised and although a roof slope to the rear would be added, the appearance and height of the building when seen from the street would therefore essentially remain as now in conformity with the general pattern of chalets in the area. Further, no.55 sits marginally forward of no.54 and considerably forward of no.56. As a result built development would not appear noticeably nearer to the open fields. Although the floor area would be increased it would remain essentially a 2 bedroom chalet with no significantly increased potential therefore for increased occupancy.

¹ APP/H3320/D/15/3133905 & APP/H3320/D/15/3137925

9. Given the particular circumstances and nature of the Appeal B proposal I consider the fears of the Council that permission for this development may set a precedent for development elsewhere to be unfounded. Any proposed development in Cleeve Park would need to be considered on its own merits.
10. I conclude that the Appeal B proposal would therefore have no significant detrimental effect on the character and appearance of the area and would thus accord with LP Policies BD/1 and BD/3 which require new development and extensions to be sympathetic to the scale and layout of existing buildings.

Conditions

11. A condition requiring development in accordance with the approved plan is necessary for certainty. Matching materials will ensure the extension is sympathetic to the original structure. Obscure glazing and fixing shut of the proposed windows in the north and south elevations is necessary to protect the privacy of neighbouring occupiers.

Conclusion

12. For the reasons given and having had regard to all matters raised, I conclude that Appeal A should fail and that Appeal B should succeed.

Olivia Spencer

INSPECTOR