

Appeal Decision

Site visit made on 19 January 2017

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

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

Decision date: 27 January 2017

Appeal Ref: APP/H3320/D/16/3161136

10 College Close, Minehead, Somerset TA24 6SX

- 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 Tomasz Wagner against the decision of West Somerset Council.
 - The application, Ref. 3/21/15/099, dated 18 January 2016, was refused by notice dated 28 July 2016.
 - The development proposed is the erection of a canopy.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The canopy has already been erected and the appeal application is therefore for retrospective permission.
3. I was unable to gain access to the property at the arranged time. However, I was able to see the canopy from a nearby garage court and this, together with photographs submitted by the appellant and neighbours, has provided enough information for me to assess its impact.

Main Issue

4. The main issue is the effect on the canopy on the character and appearance of the dwelling and its surroundings.

Reasons

5. The Council's objection is that the design and the size of the canopy, in particular its height, is unsympathetic to the existing dwelling. The appellant argues that the structure has the appearance of a conservatory (of which there are at least two others on the estate); the design is pleasingly simple and the materials are of a good quality.
 6. I have taken those points into account but I am nonetheless of the view that because of its somewhat awkward relationship with the rear wall of the house and its height close to the boundary fence, the canopy is of a poor design that draws the eye and is perceived as being unsightly. I am also not convinced that the polycarbonate sheeting is a material of a standard that would be normally found in the construction of a conservatory.
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7. In lower density residential developments where the dwellings have larger gardens and more effective boundary screening the structure just might be considered acceptable. However, No. 10 College Close is part of a tightly knit modern development with a cohesive design where there is inter-visibility between the properties and where a somewhat unorthodox structure, as is the case here, appears noticeably out of keeping. Thus whilst I appreciate the advantages of the canopy to the appellant I am minded to accept the assessments of neighbouring occupiers and the Council that the appearance of the canopy is not acceptable.
8. Overall, I therefore conclude that the canopy is harmful to the character and appearance of the host dwelling and its surroundings in conflict with Policy BD/3 of the West Somerset Local Plan 2006 and Section 7: 'Requiring Good Design' of the National Planning Policy Framework 2012.
9. The appeal is therefore dismissed.

Martin Andrews

INSPECTOR