

Appeal Decision

Site visit made on 29 January 2017

by JP Roberts BSc(Hons), LLB(Hons), MRTPI

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

Decision date: 23rd February 2017

Appeal Ref: APP/D0121/D/16/3161375

5 Eastcombe Road, Weston-Super-Mare BS23 2TG

- 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 Carl Buckley against the decision of North Somerset Council.
 - The application Ref 16/P/1962/F, dated 1 August 2016, was refused by notice dated 26 September 2016.
 - The development proposed is a replacement garage with annexe above.
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Decision

1. The appeal is allowed and planning permission is granted for a replacement garage with annexe above at 5 Eastcombe Road, Weston-Super-Mare BS23 2TG in accordance with the terms of the application, Ref 16/P/1062/F, dated 1 August 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 approved plan Ref: 2384/P/01A.
 - 3) The accommodation hereby permitted shall not be used as a self-contained dwelling and shall be used solely for purposes that are incidental to the use of the ground floor flat at 5 Eastcombe Road, Weston-super-Mare as a single dwellinghouse.

Procedural matter

2. The Council's decision notice refers to the proposal as the "erection of a garage with annex above with access via an external staircase following demolition of existing garage". This more fully describes what is intended and I shall deal with the proposal on this basis.

Main Issue

3. The effect of the proposal on the character and appearance of the surrounding residential area.

Reasons

4. There is no objection to the principle of the development, which is supported by Policy DM43 of the Council's Development Management Policies Sites and Policies Plan Part 1 (SAPP) which says that proposals for residential annexes will be permitted within settlement boundaries provided that they are of a good quality design and do not cause significant adverse impacts on the living
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conditions of adjoining occupiers. The appeal site is occupied by a large two-storey Victorian house, which has been converted into two flats. Eastcombe Road has a number of similar buildings, which are attractive examples of the ornate and high quality architecture of the era. However there are also some later dwellings of a less attractive design on both sides of the road. Cecil Road, which bounds the site to the north, has a more mixed character, with dwellings of different eras, designs and sizes.

5. It is proposed to replace the existing garage at the side of the site with a larger one, with accommodation above. The existing garage has little design merit, but it is tucked away between the much larger 2 storey block and the retaining wall and stone boundary wall above it on Cecil Road, the top of which is about level with the garage roof.
6. Whilst the site is clearly visible from Eastcombe Road, I would not say that it was especially prominent. The lower level of the site in relation to Cecil Road would mean that the first floor would project only a few metres above the boundary wall, and the building would be level with the front elevation of the main building. The highest part of the extension would be well below the eaves level of the main building and it would be in line with garages further to the west along Cecil Road, which abut the back edge of the footway and are of a similar height in relation to the road as would be the proposed extension. It would not interfere with important views.
7. The extension would be a sizeable one, but in my view it would relate satisfactorily to the much bigger host building and its mixed context. The front elevation would be finished in stone and this and the building's form would be in keeping with the Victorian buildings on Eastcombe Road.
8. However, the narrow elongated windows would have a contemporary appearance. This would contrast with the traditional sash windows of the host building, but I consider that this would not be harmful, because it would retain the vertical emphasis of the Victorian fenestration which would respond to the host building whilst not mimicking it. This part of the site lies opposite buildings on Cecil Road of a later era and I consider that a novel minor element would act as an appropriate transitional feature which would complement the variety of designs rather than cause harm.
9. I therefore conclude on the main issue that the proposal would not result in material harm to the character and appearance of the surrounding residential area and would not conflict with Policy CS12 of the North Somerset Council Core Strategy which deals with achieving high quality design and place making. Nor would it conflict with SAPP Policies DM32 or DM38, which respectively deal with high quality design and place-making and extensions to dwellings, or with Policy DM43 to which I have referred above.

Other matters

10. I have had regard to the concerns of a neighbour that the proposal will set a precedent for other properties. All applications need to be considered on their own particular merits, and the siting of this proposal next to a high retaining wall is of particular relevance as to its acceptability in this case. Such site-specific circumstances are unlikely to apply elsewhere on Eastcombe Road.

Conditions

11. The council has suggested one condition which I have considered in the light of national guidance. It is necessary to restrict the use of the extension to prevent it being used as a separate dwelling, as its size and relationship to the host property would not make it suitable for such a use.
12. I shall also impose a condition to require the development to be carried out in accordance with the approved plans to ensure certainty.

Conclusion

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

JP Roberts

INSPECTOR