
Appeal Decision

Site visit made on 31 January 2017

by H Porter BA(Hons) PGDip IHBC

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

Decision date: 27 February 2017

Appeal Ref: APP/D3315/W/16/3160923

Land to rear of 60 Springfield Road, Wellington, Somerset TA21 8LG

- 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 Mrs E Marrs against the decision of Taunton Deane Borough Council.
 - The application Ref 43/16/0061, dated 24 May 2016, was refused by notice dated 23 August 2016.
 - The development proposed is described as 'erection of dwelling'.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mrs E Marrs against Taunton Deane Borough Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the area; the effect of the proposed dwelling on the living conditions of neighbouring occupiers and whether the new dwelling provides satisfactory accommodation for its occupants; and the effect on highway safety.

Reasons

4. The appeal site is located towards the north west of Wellington, where the settlement boundary bisects the long, narrow garden plots that extend towards a mill stream and the open countryside beyond. The portion of domestic gardens excluded from the settlement helps provide a clear distinction between the edge of the settlement and the semi-rural landscape that defines the wider context. Concerning the lower portion of the rear garden associated with 60 Springfield Road, the appeal site is accessed via a narrow track with an intimate back-lane character. There is a strong local townscape and cohesion in built form established by a strong building line, plot rhythm, consistent 2-storey scale and material palette of red brick and natural slate. Where two storey structures exist, they are clearly ancillary to the primary terrace frontages.
 5. The appeal scheme would introduce a two-bedroom bungalow on the narrow strip of garden that slopes gently towards the mill stream. In contrast to the
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local plot rhythm, the development would have an elongated footprint occupying a significant portion of the existing garden area. The proposed off-street parking area would push the end gable into the plot, which would be clearly at odds with the established building line that characterises the terraces fronting Riverside.

6. Irrespective of the final material treatment, it is clear that the proposed fenestration, roof form and overall proportions would sit uncomfortably within the local street scene, undermining its cohesion and strong sense of place. Furthermore, at single-storey height, the proposed dwelling would be at odds with the established development hierarchy, where primary dwellings are all two-storey, and ancillary structures are single-storey. Even if public views to the proposed dwelling were to be limited, in my judgement the proposal would introduce an awkward and unattractive form of development on a constrained plot that would fail to complement its surroundings.
7. The effect of the proposal would also be to consolidate built development into the long, linear garden plots that extend from Springfield Road towards the open landscape within the 'green wedge' beyond. While the appeal site itself falls just outside the 'green wedge' boundary, the red brick and slate roofs of the Riverside terraced houses are visible from it. Moreover, the existing gardens play an important role in defining the urban edge of the settlement. Regardless of whether, under some policy circumstances, development may be priorities in residential gardens, development in this location would harmfully extend the line of dwellings into the countryside, contributing to a harmful erosion of the settlement edge.
8. I conclude therefore that the proposal would cause significant harm to the character and appearance of the area. The scheme would consequently fail to accord with Policy D7, CP8, SB1 of the Site Allocations and Development Management Policies, adopted December 2016 (SADMP) and Policy DM1 of the Adopted Core Strategy 2011 – 28 (the Core Strategy), insofar as they seek to ensure development does not harm the setting of towns, is appropriate in terms of scale, siting and design, protects townscape character, reflects the site and its context, and that the appearance and character of the settlement, or street scene would not be unacceptably harmed, as well as provide a compact form to settlements, and preventing sprawl and sporadic development.

Living conditions

9. It has been suggested that the setting of the proposed dwelling, situated south of No 58 Springfield Road, would result in a loss of light, thus having an adverse impact on the living conditions of its occupiers. It would step down in increments and be partially screened by the hedge boundary and mature trees that currently populate part of the neighbouring garden. Given the scale of the proposed dwelling, I do not consider it would result in any harmful loss of light or overshadowing within neighbouring gardens.
10. The Council's reason for refusal also raises concern regarding overlooking and privacy, although the Officer's Report goes on to state that this would not be an issue. I concur with the view that the high, dense hedgerow boundaries and sloping topography would provide a substantial level of screening between the proposed development and neighbouring gardens. The proposed fenestration and internal layout suggest to me that a future occupant would utilise proposed

exterior spaces to the east, facing towards the mill stream, or in the recessed courtyard, facing towards the garden of No 58. Both of these areas would provide sufficient distance from neighbouring properties and the majority of their gardens to ensure there would be no harmful overlooking or loss of privacy.

11. There is little appraisal in the body of the report to support their claim that the development would not provide an adequate residential environment for future occupiers. The proposed bungalow would be long and narrow, with high level windows and close boundary screening providing very little outlook on the main north and south elevations. However, the recessed courtyard space would offset this to some degree, and the main living space would look out onto the garden and wider open landscape to the east. While small, the overall space proposed would be sufficiently well lit and laid out, with enough outdoor space to provide some meaningful function. The development would therefore provide an acceptable standard of accommodation overall.
12. I conclude therefore, that the proposed development would not result in harm to the living conditions of neighbouring occupiers and would provide satisfactory accommodation for its occupants. The development would therefore comply with Policy DM1 and SP1 of the Core Strategy insofar as they seek to ensure amenity of any users, and that individual dwellings or residential areas will not be unacceptably harmed.

Highway safety

13. Springfield Road is narrow, with parking restricted along one side by double-yellow lines. At the time of my visit (13:30), it was heavily parked along its other length. The access track to the appeal site is also extremely narrow and turns tightly as it rounds the corner along Riverside. While on private land, I saw on my site visit that the boundary walls of both 60 and 62 Springfield Road are relatively low. From my observations during my site visit, it was apparent that the nature of the roads in the vicinity of the appeal induces cautious driving behaviour.
14. I accept that visibility out onto Springfield Road is limited, and could be further restricted if the front gardens were planted or the height of the walls increased. However, no substantive evidence, such as accident or traffic flow data, have been provided to suggest that the current situation has any adverse impact upon highway safety or efficiency in the area, or the extent to which one or two more vehicles using the access would compromise it. It has been suggested that the parking area to the proposed development is such that a vehicle would be unable to turn and exit the site in a forward gear. However, no substantive evidence has been provided to support this assertion. While I appreciate that the access track is extremely narrow, it seems reasonable that the proposed parking area would provide enough space for a vehicle to manoeuvre so as to enable egress onto Springfield Road in a forward gear.
15. Taking the above matters into consideration, I conclude that the proposal would not have an adverse impact on the safety of users or the efficient operation of the highway network in the vicinity of the appeal site. It would not conflict, therefore, with Policy DM1 of the Core Strategy insofar as it seeks to ensure additional road traffic would not lead to overloading of access roads or road safety problems.

Planning balance

16. The provision of one additional dwelling, even where the Council can demonstrate a 5-year supply of housing land, would represent a clear benefit. There would also be economic benefits arising from employment during construction, and the supply of materials, and in future residents feeding into the local economy. The proposal would also have a social benefit associated with use of nearby services and facilities within the settlement, which could be accessed easily by means other than by private car. Given the size of the proposed dwelling, I attach moderate weight to these benefits. A lack of harm in terms of the historic environment, flood risk or biodiversity are all neutral factors; while not counting against the proposed development, nor do they weigh in its favour.
17. In seeking to bring forward housing development in a sustainable location, the proposal accords with the general thrust of Policy SP1. However, in terms of its more detailed effects, the proposal would be in conflict with the development plan policies that relate to character and appearance and the benefits of the scheme would not be sufficient to outweigh the adverse effects. The scheme fails to conform to the core principles of the Framework, which seek to secure high quality design that takes account of the character of different areas. The environmental dimension of sustainable development would therefore not be achieved and the proposal would not be sustainable development. On balance, I conclude that the proposal would fail to accord with the development plan and the Framework taken as a whole.

Other matters

18. I do not know the circumstances that led to planning permission being granted at no. 1a Riverside, as cited by the appellant. In any event, I have determined the appeal on the basis of the evidence before me, and the specific circumstances of the site.

Conclusion

19. I have found that the proposal would be harmful to the character and appearance of the area. Although there are other factors that count in favour of the proposal, these have not been sufficient to outweigh the harm identified. A lack of harm in relation to the second and third main issues does not alter the harm concluded for the first. For the reasons given above, and in consideration of all other matters raised, I conclude that the appeal should be dismissed.

H Porter

INSPECTOR