The Planning Inspectorate

Appeal Decision

Site visit made on 14 March 2017

by David Walker MA MRTPI

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

Decision date: 31 March 2017

Appeal Ref: APP/H3320/W/16/3162362
9b King Edward Road, Minehead TA24 5EA

- 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 M Green against the decision of West Somerset Council.
- The application Ref 3/21/16/056, dated 24 June 2016, was refused by notice dated 16 August 2016.
- The development proposed is a single storey extension and associated works.

Decision

1. The appeal is allowed and planning permission is granted for a single storey extension and associated works at 9b King Edward Road, Minehead TA24 5EA in accordance with the terms of the application, Ref 3/21/16/056, dated 24 June 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 drawings: GRE/15100/PSP Rev. A and GRE/15100/02 Rev. B.

Preliminary Matters

2. Since the Council's decision on the application the West Somerset Local Plan to 2032 (the Local Plan) has been adopted. It supersedes the West Somerset District Local Plan 2006 (the DLP) referred to in the decision notice, with the exception of Policy BD/3 that remains saved. I have determined the appeal in the light of the policies of the newly adopted plan and saved policies. The Council has confirmed that Policy SV1 of the Local Plan referred to in its decision notice is not relevant to the appeal.

Main Issues

3. The main issues in the appeal are the effect of the proposal on, firstly, the character and appearance of the area and, secondly, on the living conditions of the occupants of Nos 9, 11 and 13 King Edward Road having regard to the adequacy of external living spaces proposed and privacy.

Reasons

4. The main dwelling has been divided into flats and the outbuilding to be extended forms a permitted annexe to flat No 9b. At my site inspection it was

apparent that large outbuildings are a characteristic of the area, particularly along the rear service lane between King Edward Road and Queens Road.

5. In this context the proposal would extend the single storey annexe further along the rear boundary with the lane. It would have no greater scale or massing than a garage or workshop extending along the boundary, and would retain the height of the existing building.

6. With a ridged roof and materials to match the existing annexe the proposal would not detract from the character of the outbuilding and would maintain its ancillary appearance. It would not result in a structure with the appearance of a large dwelling and the prevailing pattern of development of large houses fronting onto the highway would not be harmed.

7. In relation to living conditions, the submitted plans provide a demarcation between the external living spaces available to the separate flats of No 9. That related to No 9a and located to the side and front of the main dwelling would be unaffected. While the proposal would extend over an existing parking area this has limited appeal as a garden and the lawns and other open areas available to No 9b and the annexe would be unaffected. The removal of an existing shed would restore some loss of openness.

8. I acknowledge that additional overlooking of the rear gardens to Nos 11 and 13 could occur from new patio doors. This would not be significant in relation to that existing from the permitted conservatory and the limited accommodation that would be provided by the extended annexe.

9. The proposal would therefore have a satisfactory effect on the character and appearance of the area and on the living conditions of the occupants of No 9 and its neighbours. It would accord with the requirements of Policy SC1 of the Local Plan for new development not to harm the amenity of the area or the adjoining land uses, and saved Policy BD/3 of the DLP for extensions to be in character and appropriate to the buildings to which they relate.

10. The appeal being allowed, conditions are necessary to identify the implementation period and approved plans in the interests of certainty.

Conclusion

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

David Walker

INSPECTOR