

Appeal Decision

Site visit made on 4 May 2017

by G Powys Jones MSc FRTPI

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

Decision date: 17 May 2017

Appeal Ref: APP/D0121/D/17/3169960

Barleyfirth, Hill View Road, Loxton, Axbridge, Somerset, BS26 2XJ

- 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 Jean Clarke Architectural Services Ltd against the decision of North Somerset Council.
 - The application Ref 16/P/2529/F, dated 28 September 2016, was refused by notice dated 2 December 2016.
 - The development proposed is a two-storey side extension and open porch.
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Decision

1. The appeal is allowed and planning permission is granted for a two-storey side extension and open porch at Barleyfirth, Hill View Road, Loxton, Axbridge, Somerset, BS26 2XJ in accordance with the terms of the application Ref 16/P/2529/F, dated 28 September 2016, subject to the conditions set out in the attached Schedule.

Preliminary matters

2. The property is located within the Loxton Conservation Area (CA) and the Mendip Hills Area of Outstanding Natural Beauty (AONB). The Council raises no objection to the proposed open porch, and I have no reason to either.

Main issues

3. The main issues are whether the proposed development would serve to preserve or enhance the character or appearance of the CA and its effect on the natural beauty of the AONB.

Reasons

4. Loxton is a hamlet set in the heart of the Somerset countryside, served by narrow lanes. The appeal property, a detached dwelling, is situated towards the northern fringes of the village in an elevated position, being reached along the steep and rather tortuous Hillview Road. The appeal site stands alongside a public footpath, which is part of the West Mendip Way.
5. The appellant proposes to erect a staggered two-storey extension, which would project towards the footpath. The Council's main concerns are expressed in the officer report on the application to the effect that:

'Developing the site in this manner is inappropriate in such an open/rural location and will create an intrusive built form which has an overbearing impact on the walkway, which presently provides an open, leafy environment as part of a scenic country walk. The proposal will therefore have a detrimental impact on the amenity and views from

the walkway....The proposed development would have a detrimental impact on the character of the area and the views in/out of the AONB and the Conservation Area from the adjacent public walkway due to the proximity of the two storey extension to the boundary/public walkway.'

6. I share the Council's view that the extension would be seen from a short section of the path, particularly when approaching downhill from the north. However, the existing house is also plainly seen from the path, and the bulk of the house effectively masks most long-range views from this section of the path over the surrounding countryside and the hamlet below. The extension would make little material difference in this regard.
7. I consider the extension to be of an acceptable matching design, and part of it would have a reduced roofline so as to emphasise its subservience. The fact that the extension could be seen at close quarters from the footpath does not render it objectionable.
8. The Council has not adequately explained what it considers to be the alleged impact on the CA and AONB, or the significance of the former. To my mind, although on an elevated site, the extension would hardly be discernible from most of the hamlet below, since trees would effectively screen it. These, together with the dense tree growth to the north, would also ensure that the extension would make very little impression, if any, on the character or appearance of the CA or the natural beauty of the AONB, because of the effectiveness of the screening.
9. I therefore conclude that the proposed extension would sit acceptably in its visual and spatial context. At worst, it would have a neutral impact on the character and appearance of the CA, which would therefore be preserved. The natural beauty of the AONB would be unimpaired. Accordingly, no conflict arises with those provisions of policies CS5, CS9, CS10 and CS12 of the North Somerset Core Strategy, and policies DM3, DM11, DM25, DM32 and DM38 of the North Somerset Sites and Policies Plan (Part 1) that, in combination are designed to ensure good design, to safeguard the locality's conservation areas, to protect the natural beauty of the AONB and to enhance the existing public right of way network and green infrastructure.
10. The Council's suggested condition on materials shall be imposed in the interests of visual amenity. It is also necessary, in the interests of certainty that the development is built in accordance with the approved plans.
11. All other matters referred to in the representations have been taken into account, and although not decisive in my considerations I note that neither the Parish Council nor local residents commented on the proposals on being consulted. I have also noted the recent planning history. No other matter is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. 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.
3. The development hereby permitted shall be carried out in accordance with the following approved drawings: The OS based location and block plans and Drawing Nos. JSC/2428/16/01A & 02A.