
Appeal Decision

Site visit made on 31 May 2017

by Stephen Hawkins MA MRTPI

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

Decision date: 20th June 2017

Appeal Ref: APP/V3310/W/17/3167002

12 Hyde Park, North Petherton, Bridgwater TA6 6NS

- 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 Elaine Walker against the decision of Sedgemoor District Council.
 - The application Ref 37/16/00058, dated 25 July 2016, was refused by notice dated 11 October 2016.
 - The development proposed is erection of one single storey bungalow and renovation and extension to existing cottage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are as follows:
 - The effect of the proposal on the character and appearance of the area.
 - The effect on the living conditions of future occupiers of the proposed bungalow, having regard to noise and disturbance, privacy and outlook.
 - The effect on highway safety.

Reasons

Character and appearance

3. The appeal site consists of an unoccupied cottage of traditional appearance. The cottage is situated adjacent to a street corner, with gardens at the side parallel to the road and at the rear. The surrounding area contains a wide mix of dwellings of different age, scale, appearance, materials and plot sizes. This includes traditional cottages and terraced housing on the opposite sides of the street, as well as modern detached and semi-detached bungalows set in regularly spaced plots to the side and rear of the site. Overall, this provides the locality with a pleasantly varied, residential character.
 4. The proposed bungalow would be of a modest size. It would occupy a plot with a reasonably wide street frontage, formed of most of the cottage's side garden. The bungalow would not be dissimilar in terms of its design, materials and scale to that of nearby bungalows. Nevertheless, the size of the plot is quite restricted, especially when compared with that of many bungalows in the surrounding area. It is awkwardly shaped at the rear. Consequently, there
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would be limited external space between even the modestly proportioned bungalow proposed and the plot boundaries.

5. In particular, there would be a limited distance between the bungalow and the side wall of the cottage. The bungalow would be positioned immediately adjacent to the driveway and parking area of the cottage and the shared turning area. Therefore, the bungalow would appear very close to the cottage in views from the street. On the other side, the bungalow would also appear very close to the neighbouring bungalow at 28 Hyde Park Avenue (No 28), having regard to the very short rear garden of that property. This impression would also be exacerbated by the raised ground level of No 28 in relation to that of the bungalow. The limited plot dimensions would also mean that the bungalow would be provided with little in the way of useable amenity space. Furthermore, the cottage itself would retain a modest garden. Consequently, both the bungalow and the cottage would appear relatively cramped on their plots in comparison with surrounding development.
6. The bungalow would be set back from the street in relation to the cottage. However the space at the front of both buildings would be largely taken up by driveways and car parking and turning areas. As a result, views of the buildings from the street would be dominated by hardsurfaced areas and at times, parked vehicles. This would further emphasise the cramped appearance of the bungalow and the cottage, as well as creating a much more harsh and urbanised feel in the street scene. This would all be entirely at odds with the general pattern of development in the locality and would therefore be unacceptably harmful to the character and appearance of the area.
7. The proposed extensions to the cottage would follow the removal of later additions to the side and rear, which I am given to understand are structurally unsound. The two storey rear extension would have a pitched roof with a central valley. This would more or less echo the existing roof treatment of the cottage, which consists of a 'farmhouse' style double pitched roof. A lean-to carport would also be erected on one side of the cottage adjacent to the street, on part of the footprint of the demolished additions. I have no reason to doubt that following these extensions the cottage would still be somewhat smaller than it is at present.
8. However, the rear extension would have a higher eaves line than that of the cottage. Moreover, the pattern of fewer more centralised window openings in the rear extension with considerable areas of blank wall, would have a more modern appearance. This would not reflect the traditional, well balanced arrangement of openings in the front elevation of the cottage. As a result of these factors, the rear extension would be awkwardly related to the cottage and it would create an unbalanced appearance, which in turn would harmfully erode the character and appearance of the cottage.
9. Due to the corner plot location the rear extension would be readily apparent in views in the street scene, especially when approaching from the north. Accordingly, the harm caused by the rear extension would also have an unacceptable impact on the character and appearance of its surroundings. I acknowledge that although perhaps of local interest, the cottage is not listed and that it requires renovation. However, those factors do not justify the harm that would be caused.

10. Therefore, the bungalow and the rear extension to the cottage would cause unacceptable harm to the character and appearance of the area. Consequently, the proposal would not accord with Policy D2 of the adopted Sedgemoor Core Strategy (CS), as it would not achieve high quality design which responds positively to and reflects the particular local characteristics of the site and the identity of the surrounding area. Further, the proposal would not accord with CS Policy P4, as it would not be appropriate to the scale, design and character of the existing community.

Living conditions

11. Rooms in the bungalow including the living room and a bedroom, would have windows adjacent to the driveway and parking area for the cottage and the shared turning area. Consequently, the future occupiers of the bungalow are likely to experience significant levels of noise and disturbance from vehicles entering and leaving the adjacent parking spaces and manoeuvring in the turning area. No physical features such as walls or fences could adequately reduce the noise and disturbance that this would cause.
12. Whilst the appellant has referred to similar parking arrangements being common in modern developments, I have not been referred to any examples which might be directly comparable with the appeal scheme. The existence of properties elsewhere which might have a substandard living environment is not a good reason for permitting further unacceptable development.
13. A bedroom window in the side of the bungalow would be opposite a first floor window at the side of the cottage, a short distance away. Moreover, the rear garden of the bungalow would be largely overlooked by first floor windows in the extended cottage. There would be a limited distance between the windows in question and the garden. The angle of view from those windows is unlikely to significantly offset the sense of being overlooked that would be experienced by future occupiers of the bungalow. As a result, the future occupiers are likely to experience much more limited levels of privacy than that which they could otherwise reasonably expect to enjoy.
14. Moreover, given the modest external space that would be provided, the proximity to the plot boundaries and adjacent buildings and also having regard to the higher level of some adjacent properties, most rooms in the bungalow would have a very restricted outlook. This would mostly be dominated by the nearby built forms and boundary features. As a result, future occupiers of the bungalow would experience a strong and unduly oppressive sense of enclosure in most of the rooms.
15. Therefore, the bungalow would provide a poor standard of living environment for its future occupiers, in terms of noise and disturbance, privacy and outlook. Consequently, the bungalow would not accord with CS Policy D16, as there would be an unacceptable impact on the residential amenity of potential future occupants, having regard to noise and disturbance, overlooking and visual dominance.

Highway safety

16. A new access and two parking spaces would be formed at the side of the cottage adjacent to the street, following removal of the existing additions. The proposed carport would partly enclose these spaces. Together with the

adjacent high boundary wall, this would significantly restrict the visibility available along the street to the north, when entering or egressing the parking spaces.

17. As a result, vehicles travelling south along the street are likely to have little advanced warning of vehicles either emerging from or entering the access. Vehicles might also be entering or leaving the access in reverse gear. This would further reduce any potential for intervisibility between drivers using the access and drivers travelling south along the street.
18. The proximity of the new access to a minor road junction would also have the effect that at times, vehicles exiting or entering the spaces are likely to have to stop or undertake manoeuvres in relation to other vehicles emerging from the junction. The nature of such movements is likely to be unpredictable. All of the above matters would significantly increase the risk of collisions occurring between vehicles and would therefore be unacceptably harmful to highway safety conditions in the vicinity.
19. I note that cars already park adjacent to the street in a similar location to the new access. Even so, such vehicles are parked closer to or partly on the street. All drivers are therefore afforded more visibility than would be available from the new access. Consequently, the proposal does not offer any significant safety benefit over the existing situation.
20. The proposal would provide the cottage with generous levels of off-street parking compared with that normally required for a single dwelling. The bungalow would utilise the existing access to the cottage. Widening of that access and provision of a turning area would provide a modest benefit in safety terms. However, those matters would not outweigh the above harm.
21. Therefore, the proposal would not accord with CS Policy D10, as it would not provide a safe road access and it would compromise road safety.

Other matters

22. I acknowledge that the proposal would make more efficient use of the appeal site and it would provide much needed housing. However, these modest benefits would not outweigh the harm identified above. The Council did not object to the bungalow or the rear extension on grounds of overlooking of adjacent properties and I have not found any reason to disagree with their assessment.

Conclusion

23. The proposal would not accord with the Development Plan. Therefore, I conclude that the appeal should be dismissed.

Stephen Hawkins

INSPECTOR