



Appeal Decision

Site visit made on 10 December 2019

by H Porter BA(Hons) MScDip IHBC

an Inspector appointed by the Secretary of State

Decision date: 18 December 2019

Appeal Ref: APP/W3330/W/19/3237040

7 Temple Fields, Watchet, Somerset TA23 0JH

- 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 Keith Norman against the decision of West Somerset Council.
 - The application Ref 3/37/18/008, dated 24 April 2018, was refused by notice dated 15 April 2019.
 - The development proposed is erection of single-storey dwelling (2 bed) with demolition of extg. garage to facilitate additional carparking.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. The Town and Country Planning (Development Management Procedure) (England) Order 2015, Schedule 4 lists those statutory bodies who LPA are obliged to consult about certain types of development. Town Councils are not referred to, indicating that consultation with them is at the LPA's discretion. The LPA have given an assurance that the Town Council (TC) were consulted at the application stage, although it is equally apparent from the TC letter of 6 June 2019 that, for whatever reason, they did not receive the details and therefore did not comment on the development. However, there is clear evidence that the TC were consulted by the LPA at the appeal stage as their contact details are listed on the list of consultees accompanying the appeal notification letter dated 14 October 2019.
3. Even if the TC were unaware of the proposed development at application stage, the fact that the LPA refused the development in the first instance and subsequently included the TC among the appeal consultees indicates to me that the TC have not suffered prejudice and have been given the opportunity to participate in the appeal process. I am therefore satisfied that the LPA has fulfilled its primary responsibility to ensure that the TC (and others) have been notified about the appeal and been given the opportunity to comment. On that basis, in my view, it is reasonable to proceed to determine the appeal.

Main Issues

4. The main issues are the effect of the proposed development on the character and appearance of the area; the effect on the living conditions of future occupiers of the proposed dwelling, in respect of outlook and disturbance; and the effect on highway safety.

Reasons

5. The appeal site terminates the narrow single-track route of Temple Fields, inside the built-up area of Watchet. No. 7 is a chalet-style bungalow dwelling that occupies the upper end of a sloping plot. The appeal concerns the lower portion of the plot, which is separated from the main dwelling and its garden by a high retaining wall, and contains a single-storey garage.
6. No. 7 and its neighbour are situated on the steep hillside where there is a group of mid-to-late 20th century dwellings occupying relatively large plots. As the hillside slopes down towards the town, there are instances of short terraces distinguished by a common age, plot rhythm and design.
7. The proposal is to construct a two-bedroomed bungalow on the lower, undeveloped portion of No. 7's curtilage. The proposed layout, following demolition of the existing garage shows space for parking up to four vehicles on the concrete apron that extends from the site access off Temple Field, which would be shared between the new dwelling and No. 7.
8. The proposed new dwelling would be sited relatively close to three of its site boundaries. Although there are modest bungalow dwellings with small gardens in the vicinity, the appeal proposal would be oriented awkwardly so that there is no obvious differentiation between the front and rear of the garden plot around it. As a consequence, and in spite of the overall building design being broadly in-keeping with its surroundings, the proposed dwelling would appear uncomfortably squeezed-in and an incongruous addition in the context of a more spacious development pattern that characterises dwellings on the rise of the hillside. The proposed development would therefore be uncharacteristic and detrimental to the character and appearance of the area. While reasonably localised in its extent, the impact would be noticeable from the public footpath that runs alongside the appeal site.
9. There may well be examples of dwellings with smaller overall external provision, but the constraints of the site and orientation of the building on the plot mean that any meaningful outdoor provision would be dominated by the proximity of close-board fencing and high hedgerow boundaries or the hard-surfaced car parking area. Indeed, the largest part of the garden would lack a sense of privacy and seclusion owing to the shared nature of the parking. The combination of these factors leads me to conclude that the proposed development would fail to provide an acceptable standard of accommodation for its future occupants, which would cause harm in respect of living conditions.
10. Vehicular access to the appeal site and to No. 7 would be via Temple Fields, which is an extremely narrow route. While the Appellant is of the opinion that there would be enough space for four cars to park and turn, my own observations of the site and its constraints causes me to doubt this. Technically, four cars could be squeezed in side-by-side on the plot. However, given the proximity of the site's southern boundary, it would be extremely difficult for a car parked in spaces 1 and 2 to manoeuvre in or out if the other two spaces were already occupied.
11. Even if four cars were able to be parked on the site, I believe if all spaces were occupied simultaneously, it would be difficult to manoeuvre within the site and exit in a forward gear. In all likelihood, drivers would be inclined, as I was, to reverse out of the site onto Temple Fields at the point where the public

footpath begins. There are clear signs not to park on the shallow turning area along Temple Fields, but the proposed development would intensify the use of a route which is already awkward. Whilst I note comments that the footpath is not well used, its proximity casts doubt over whether a suitable, safe access to the site can be achieved for all people, notably pedestrians using the footpath.

12. While there is no policy objection to the principle of a new dwelling on the appeal site, in light of the foregoing, the combination of the site layout, parking and access arrangements fails to satisfy the environmental strand of sustainable development. Conflict therefore arises with Policies SD1 and NH13 West Somerset Local Plan to 2032, November 2016 and the National Planning Policy Framework, Revised February 2019 (the Framework). Amongst other things, these seek to ensure a high standard of design which makes a positive contribution to the local environment; a high standard of amenity for existing and future users; and safe and suitable access to the site can be achieved for all users.
13. I have given careful consideration to the arguments made in support of the appeal, including those by local residents and the Town Council. Whilst I appreciate there would be benefits associated with the provision of a new dwelling, proximate and walkable to the services and facilities of Watchet, the benefits of the scheme do not outweigh the conflict with the development plan and Framework read as a whole. Nor does the way in which the Council handled the original application lead me to alter my overall conclusion.
14. For the reasons given above, I therefore conclude that the appeal should be dismissed.

H Porter

INSPECTOR