

Appeal Decision

Site visit made on 11 August 2020

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 September 2020

Appeal Ref: APP/Q3305/D/20/3253707

89 Locks Hill, Frome BA11 1NH

- 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 and Mrs Hackworthy against the decision of Mendip District Council.
 - The application Ref 2020/0144/HSE, dated 22 January 2020, was refused by notice dated 7 April 2020.
 - The development proposed is side and roof extensions to existing house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the host property and the surrounding area, including the significance of the Frome Conservation Area.
 - The effect of the proposal on the living conditions of neighbouring occupiers of No 1 New Buildings Lane, with particular regard to privacy.

Reasons

Character and appearance

3. The appeal site comprises a traditional two storey dwelling characterised by its natural stone frontage, bay window and uncomplicated proportions. The site is located outside but adjacent to the Frome Conservation Area (FCA), which is characterised at this location by early 18th century housing development along New Buildings Lane. Outside the FCA, dwellings are mixed in terms of their design and scale and include modern two storey semi-detached properties and three storey townhouses.
4. The proposed roof additions include a rear box dormer extension with a flat roof. A further addition incorporating a mono pitched roof would extend from part of the dormer's rear elevation while also being inserted into the rear roof plane of the dwelling. The internal space created by these additions would facilitate a bedroom, bathroom and a stairway leading from the first floor.
5. The cumulative mass of these additions coupled with their awkward arrangement on the rear elevation of the property would have a top heavy and cluttered appearance when viewed from New Buildings Lane and, obliquely,

from Locks Hill. Consequently, this would have an incongruous impact on the unpretentious design and scale of the host dwelling.

6. In the context of the surrounding area, I observed during my site visit, that the roofs of adjacent dwellings along Locks Hill and New Buildings Lane were largely free from additions. Where roofs had been extended these additions were modest in size and in keeping with the dwelling. In contrast the proposed roof extensions by virtue of their scale and arrangement, would appear dominant and disjointed in relation to the relatively undeveloped roofscapes of the locale, thus having a harmful presence on the appearance of the immediate area.
7. The proposed two storey side extension would be set down from the main roof line and set back from the front elevation of the dwelling. It would incorporate a pitched roof to match the main house while it would not project excessively from the flank wall of the dwelling. Its general mass and form would be subordinate and therefore in keeping with the host property. Nevertheless, the grey roof membrane and dark stained timber cladding to the elevations would appear stark and discordant in context with the more traditional stone and clay roof tiles of the host dwelling. Furthermore, these material finishes would not be consistent with other dwellings in the area.
8. Notwithstanding this, the appellant indicates that the material finishes could be amended. Therefore, were I to allow this appeal, I consider that an appropriately worded condition could be applied to ensure that the materials are more in keeping with the host dwelling and the surroundings. Accordingly, I consider that the proposed two-storey side extension would not harm the visual appearance of the host property or surrounding area.
9. The Council has not raised any specific objections in respect of the front dormer windows and the single storey side extension, and I have no reason to disagree with their view in that regard.
10. The National Planning Policy Framework (the Framework) defines the setting of a heritage asset as the surroundings in which it is experienced. Elements of a setting may make a positive or negative contribution to the significance of an asset; may affect the ability to appreciate that significance; or, may be neutral.
11. Situated outside the FCA, the appeal dwelling is close to a sequence of modern dwellings that line New Buildings Lane, that contrast in terms of their scale and design, while not exhibiting any particular consistency. The dwellings on the opposite side of the road are within the FCA and are notable for their simple uniformity and historic importance as early 18th century workers dwellings. That part of the FCA does not derive any particular significance from the appeal property or its immediate neighbours. Although the proposed roof extensions would be harmful in the context of the area's general character and appearance, it faces away from the FCA and at an angle. Consequently, they would not harm the unbroken rhythm of the historic dwellings in the FCA, or fundamentally alter their existing setting and therefore the significance of the FCA.
12. In concluding on the first main issue, I have found that the proposed front dormers, and the two storey and single storey side extensions are acceptable, while the proposal would not harm the setting of the FCA. Accordingly, these would comply with some aspects of local planning policy in terms of design and

heritage. However, the proposed rear roof additions would cause material harm to the character and appearance of the host dwelling and the surrounding area. They would be contrary to Policies DP1 and DP7 of the Mendip District Local Plan Part 1: Strategy and Policies 2006-2019 – adopted 15 December 2014 (the Local Plan), which amongst other things requires all development to respect local context and contribute positively to the maintenance and enhancement of local identity and distinctiveness. They would also conflict with the Framework (Paragraph 127 (b) and (c)) where it requires proposals to be visually attractive as a result of good architecture and to be sympathetic to local character.

Living conditions

13. The proposed roof additions would have rear facing windows oriented towards the flank wall and forecourt area of No 1 New Buildings Lane (No 1). There are no corresponding windows in No 1's flank wall, while the forecourt area is already open and visible from the street. A window in the cheek of the rear dormer would face, albeit at an angle, the rear garden of No 1. However, due to the height and angle of the window it would be difficult to directly overlook this neighbouring private space. Therefore, existing privacy levels of the neighbouring occupiers at No 1 would not be harmed.
14. The proposed development would not harm the living condition of neighbouring occupiers, in terms of privacy. It would accord with Policy DP7 of the Local Plan, which amongst other things requires new developments to protect the amenity of users of neighbouring buildings. The proposal would also accord with Paragraph 127 (f) of the Framework where it requires developments to safeguard the amenity of existing users.

Other Matters

15. The proposal would provide additional internal living space for the dwelling. I recognise the benefits of enlarging a family home, however, this would not overcome the concerns I have in respect of the proposed roof additions.
16. Whilst the appellant contends that the internal space within the roof extensions has been designed to maximise efficiency, they would nevertheless have an external appearance that would be discordant and therefore this matter does not overcome the harm I have identified.

Conclusion

17. I have found that the proposed development would not harm the significance of the FCA, while the single storey and two storey side additions and front dormers would not be harmful in terms of character and appearance. I have also found that the proposed development would not give rise to any unacceptable effects on the living conditions of No 1 New Buildings Lane, in respect of privacy. However, the proposed roof additions would have a detrimental impact on the character and appearance of the host dwelling and that of the surrounding area. For the reasons set out, I conclude that the appeal should be dismissed.

R. E. Jones

INSPECTOR