The Planning Inspectorate

Appeal Decision

Site visit made on 11 August 2020

by C J Ford BA (Hons) BTP MRTPI

a person appointed by the Secretary of State

Decision date: 8 September 2020

Appeal Ref: APP/W3330/D/20/3254784
10 Birch Grove, Taunton TA1 1EE

- 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 Ms Charlotte Brice against the decision of Somerset West and Taunton Council.
- The application Ref 38/20/0062, dated 12 February 2020, was refused by notice dated 11 June 2020.
- The development proposed is the erection of a detached double garage.

Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached double garage at 10 Birch Grove, Taunton, TA1 1EE in accordance with the terms of the application Ref: 38/20/0062, dated 12 February 2020 and subject to the following conditions:

   1) The development hereby permitted shall begin not later than three years from the date of this decision.

   2) The development hereby permitted shall be in accordance with the following approved plans; 1981.2/100 and 1981.2/200C.

   3) No development shall commence until samples of the materials to be used in the construction of the external surfaces of the garage hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved samples.

   4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the garage hereby permitted shall be kept available at all times for the parking of motor vehicles by the occupants of 10 Birch Grove and their visitors.

   5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows shall be inserted in the roof of the development hereby permitted.

   6) The allocated Turning Area in plan 1981.2/200C shall be kept clear of obstruction at all times and shall not be used other than for the manoeuvring and parking of vehicles in connection with the development hereby permitted.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area which is within the Staplegrove Road Conservation Area.

Reasons

3. The appeal site is located within the Staplegrove Road Conservation Area (CA), a designated heritage asset where special attention must be paid to the desirability of preserving or enhancing the character or appearance of the CA. The special interest of the CA primarily derives from the high architectural quality of the Victorian and Edwardian dwellings within the designated area.

4. The appeal property is a brick built Victorian semi-detached house with a pitched roof form. It occupies a prominent corner plot position whereby the front faces Birch Grove and the flank, which includes a two storey rear projection, faces The Avenue. A recent single storey flat roof extension has wrapped around the rear projection. The proposed double garage would be sited on an existing vehicle hardstanding located between the southern end of the extension and Hatfield, the neighbouring house on The Avenue.

5. At around 6.5m wide and 6.3m deep the footprint of the building would not be unusual for a double garage. Although the approximately 5m height of the roof ridge would be tall, it would not appear excessive. As the development would be set behind the building line on The Avenue, it would preserve the spaciousness between the built form and the highway which is an important part of the character of the street scene. There would not be a sense of the over-development of the site and the front of the garage would neatly align with the projection of the side extension. The proposed materials, namely red brick walls, plain clay tiles and a timber sectional garage door would also be sympathetic to the character of the host property and the wider area.

6. Although the roof would interrupt wider public views of the architectural detailing on the north side of Hatfield, this would only relate to the lower rear part of the flank of the neighbouring building and the detailing would remain visible in more close-up public views. The proposed hipped pyramid roof would positively reflect the pitched roof form of the main part of the house and the garage would be beneficial in reducing the adverse visual impact of vehicles parked within the domestic curtilage of the house.

7. In light of the above, it is concluded the proposed development would not have an unacceptably harmful effect on the character and appearance of the area. It would preserve the character and appearance of the CA. The development would not conflict with Policy DM 1 of the Council's Adopted Core Strategy 2011-2028 which, amongst other things, seeks to ensure development does not unacceptably harm the character and appearance of an area.

Other Matters

8. The development would be set back around 1m from the site boundaries and the pyramid roof form would result in the roof slope rising away from the neighbouring properties, with a limited high level mass and bulk. The development would therefore not be overbearing or cause unacceptable harm to the amenity of the occupiers of neighbouring properties in respect of overshadowing.

9. The Council's Tree Officer commented that a mature apple tree in the rear garden of 9 Birch Grove would not be harmed by the proposed development as the evidence indicates the roots do not substantively extend into the appeal site due to the deep foundations of the boundary wall. There is no reason to come to a different view.

10. The concern the garage could be converted into ancillary residential accommodation or lead to inadequate off-street parking provision is noted, as is the concern windows could be inserted in the roof leading to the overlooking of neighbouring properties. However, these concerns can be overcome by the imposition of two conditions suggested by the Council which would ensure the garage is kept as a domestic garage and the installation of any windows in the roof would be prevented.

Conditions

11. In addition to the two conditions previously noted, the standard time limit condition is imposed, as is a condition specifying the approved plans to ensure certainty. A condition in respect of the approval of the external materials to be used is imposed in the interests of preserving the character and appearance of the CA. A condition to ensure the identified turning area within the site is retained is imposed in the interests of highway safety. The wording of some of the conditions suggested by the Council have been amended for conciseness and accuracy and so they better reflect the guidance in the National Planning Policy Framework and planning practice guidance.

Conclusion

12. For the reasons given above and having regard to all other matters raised, it is concluded the appeal should be allowed.

C J Ford

APPOINTED PERSON