



Appeal Decision

Site visit made on 28 July 2020 by Alex O'Doherty LLB(Hons) MSc

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2020

Appeal Ref: APP/W3330/D/20/3251478

Waterhayes Cottage, Waterhayes Lane, Otterford, Chard TA20 3QH

- 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 Peter Naylor against the decision of Somerset West and Taunton Council.
 - The application Ref 29/20/0001, dated 16 January 2020, was refused by notice dated 12 March 2020.
 - The development proposed is a single-storey extension to a dwelling.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the surrounding area, including the Blackdown Hills Area of Outstanding Natural Beauty ('AONB').

Reasons for the Recommendation

4. The appeal site is nestled between woodland and field parcels in a sublime area of countryside. The appeal site, located on a hillside, comprises a traditionally styled two-storey dwellinghouse, built of natural rubblestone with render and timber cladding, sat next to gardens, car parking, vehicular access, and a barn outbuilding. It is common ground that a single storey rear extension (comprising a garden room and a boot room) was added to the appeal property in the 1990's, and this also houses a porch. A decking area is situated next to the porch. Waterhayes Farm is opposite and includes a traditionally-styled cottage with a thatched roof.
5. I observed that when approaching from the east, the host property was almost completely obscured by thick hedgerow, such that only glimpsed views remained. Similarly, when approaching from the west, the curve in the road and the host property blocked views of the location of the proposed extension. As the proposal would be substantially screened from public vantage points its effect on the character and appearance of the surrounding area would be minimal. Therefore, the proposal is acceptable in this respect.

6. Although the original building has been altered somewhat, it still retains traditional features, including its modest size, attractive stonework and windows which reflect its cottage character. The proposal, for a single-storey extension, would be joined to the existing extension. In comparison with the host property, it would protrude from both the side and the rear of the host property by a substantial margin, with a length of approximately 12m (including the canopy) in contrast to the approximately 7m depth of the host property. Whilst the proposal would incorporate a step down from the roof line of the existing dwelling (as extended), due to its height and width and overall scale it would compete with the host property, and accordingly would not be subservient to it, as required by Policy D5 of the Taunton Deane Adopted Site Allocations and Development Management Plan (adopted December 2016) ('DMP').
7. It is recognised that materials have been chosen which reflect the advice given in the Blackdown Hills AONB Design guide for houses (March 2012), and draws on examples of other nearby development. Specifically, the proposal would incorporate timber boarding, which would reflect the upper portion (north-east elevation) of the existing extension and the sides of the small dormer window, and the roof tiles on the south-eastern portion of the extension would match that of the host property. Nevertheless, the host property predominantly consists of stone with rendered elements, and the proposed use of a considerable amount of timber boarding, on an extension which would compete in scale with the host property, would significantly detract from its traditional character and appearance.
8. The use of two roofs of differing configurations and materials, including a metal material on the north-western portion of the extension, would break up the roofscape, but as they would occupy a substantial amount of space in themselves, would not serve to sufficiently mitigate the effect of the mass of the extension. In my view the proposal would not appear as a feature of 'inferior construction', due to its scale and massing.
9. The proposed elongated fenestration would be similar in appearance to that on the existing garden room. However, it would not complement the largely rectangular fenestration on the rest of the host property and would detract from its appearance as a result.
10. I therefore conclude that the proposal would have an unacceptable and harmful effect on the character and appearance of the host property. The proposal would conflict with Policy D5 of the DMP which provides that extensions to dwellings will be permitted provided they do not harm the form and character of the dwelling and are subservient to it in scale and design. Policy D6 of the DMP relates to ancillary accommodation, which is not proposed in this appeal, and therefore is not relevant.
11. The effect of the proposal on the AONB would be negligible, due to the limited scale of the proposal. Therefore, the landscape and scenic beauty of the AONB would be conserved, in accordance with paragraph 172 of the National Planning Policy Framework. This finding does not alter my conclusion on this main issue.

Other Matters

12. I have carefully considered the evidence provided with regards to the personal circumstances of the appellant, with respect to the aims of the Public Sector

Equality Duty contained in the Equality Act 2010. It is recognised that the appellant has considered various options pertaining to how the existing property could be extended, resulting in the proposal now at appeal, and I give moderate weight to the benefit that the proposal would provide to the appellant with regards to their personal circumstances. Whilst the appellant has mentioned that opportunities for Equalities Act-compliant homes are extremely rare in the Blackdown Hills AONB, and has referred to the demographics of the area, little evidence has been provided to demonstrate these points, and therefore I give limited weight to this matter.

13. The Planning Practice Guidance¹ states that planning is concerned with land use in the public interest, and therefore I must also take account of the fact that the proposal would result in a permanent structure which would cause considerable harm to the character and appearance of the host property, to which I accord substantial weight. Considering this, and that a less harmful scheme could potentially meet the requirements of the personal circumstances of the appellant, I conclude that the personal circumstances of the appellant do not change my finding on the main issue in this appeal.
14. The proposal incorporates a south-west facing façade, which the appellant has argued would help the mental well-being of residents and would keep the house warm. Additionally, triple-glazed windows are proposed which would reduce heat loss and energy consumption. Even so, these factors do not offset the considerable harm identified on the main issue.

Conclusion and Recommendation

15. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

Alex O'Doherty

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

R C Kirby

INSPECTOR

¹ Paragraph: 008 Reference ID: 21b-008-20140306