



Appeal Decision

Site visit made on 20 October 2020

by C J Ford BA (Hons) BTP MRTPI

a person appointed by the Secretary of State

Decision date: 25 November 2020

Appeal Ref: APP/W3330/D/20/3255956

Lizanne House, Cheddon Fitzpaine, Taunton TA2 8JU

- 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 Paul Spencer against the decision of Somerset West and Taunton Council.
 - The application Ref 08/19/0041, dated 7 December 2019, was refused by notice dated 24 April 2020.
 - The development proposed is new 2 storey side extension with attic room to replace existing garage/utility area.
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Decision

1. The appeal is allowed and planning permission is granted for new 2 storey side extension with attic room to replace existing garage/utility area at Lizanne House, Cheddon Fitzpaine, Taunton TA2 8JU in accordance with the terms of the application Ref: 08/19/0041, dated 7 December 2019 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 carried out in accordance with the following approved plans; 1500 Rev B, 1000 Rev A, 2000 Rev D, 2100 Rev B and 2500 Rev D.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property.

Reasons

3. The appeal property comprises a detached house on a sizeable plot. The main part of the dwelling has a two storey gable fronted form. To the east there is a single storey garage which is linked by a recessed utility area while to the west there is a single storey garden room extension.
4. In the proposed scheme, the existing garage would be replaced by a slightly deeper but considerably wider two storey gable fronted element and the utility area would become a glazed fronted two storey link. There would also be living

accommodation provided within the roof of the development. As a consequence, the form and character of the house would fundamentally change and it would become a more substantial dwelling with a distinctive two storey 'twin-wing' design.

5. As noted by the Council, the development would not be subservient to the host property in terms of its significant width, bulk and mass. The ridge would not be set down and the new wing would not be set back. It would therefore conflict with Policy D5 of the Council's 2016 Site Allocations and Development Management Plan (SADMP), which seeks to ensure extensions are subservient in scale and design.
6. However, the appellant has the fallback of erecting an alternative permitted two storey side extension, (permission Ref: 08/16/0016 which has been implemented through the construction of the garden room). In that scheme, the extension would be set further back and would not be as deep at the rear. The ridge height would also be set down a small degree. Nevertheless, the width of the extension would not be too dissimilar from the appeal proposal. Despite its lesser overall bulk and mass, in public views from the front, the form and character of the house would significantly change. It would similarly result in a more substantial, wide, predominantly two storey dwelling but would be lacking a distinctive integrated overall design as illustrated by the paired gables in the appeal proposal.
7. In the proposed scheme, there would be a difference in the style, size and positioning of the windows between the new wing and the existing development. However, such differences also occur to a degree in the permitted scheme.
8. The proposal would therefore conflict with Policy D5 of the SADMP because it would not be subservient to the dwelling. The substantial changes to the form, character and appearance of the dwelling would also conflict with Policy D5 of the SADMP and Policy DM 1 of the Council's 2012 Core Strategy, both of which seek to protect these interests.
9. However, the appeal scheme offers substantive positive benefits over the available fallback in terms of its distinctive overall design. This material consideration is afforded significant weight and leads to a conclusion that the appeal should be determined other than in accordance with the development plan.

Other Matters

10. The eastern site boundary is adjacent to the Cheddon Fitzpaine Conservation Area and the front garden area to the Grade II listed 'The Old Rectory'. As the development would be set back from this boundary and screened by significant mature vegetation, there would be no harm to the setting of these designated heritage assets.

Conclusion

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

Conditions

12. The standard time limit condition is imposed, as is a condition specifying the approved plans to ensure certainty. A condition requiring matching materials is imposed to ensure the development harmonises with the character and appearance of the existing dwelling.

C J Ford

PLANNING DECISION OFFICER