



Appeal Decision

Site visit made on 9 November 2020 by Ben Phillips BSc MSc MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 25 November 2020

Appeal Ref: APP/Q3305/D/20/3257805

1 Croft Road, Holcombe, Shepton Mallet BA3 5EE

- 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 Gary Schuster against the decision of Mendip District Council.
 - The application Ref 2020/0915/HSE, dated 11 May 2020, was refused by notice dated 23 July 2020.
 - The development proposed is described as an erection of a 2 storey rear extension and loft conversion forming masonry gable end and roof alterations for full dormer to the rear.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a 2 storey rear extension and loft conversion forming masonry gable end and roof alterations for full dormer to the rear at 1 Croft Road, Holcombe, Shepton Mallet BA3 5EE in accordance with the terms of the application Ref 2020/0915/HSE dated 11 May 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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: Location Plan, A02.
 - 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.

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 Issues

3. The main issue in this case are the following:
 - the effect of the proposal on the character and appearance of the existing property and surrounding area; and
 - the effect of the proposed extension on the living conditions of the occupants of No 2 Croft Road, with particular regard to privacy.

Reasons for Recommendation

Character and Appearance

4. The semi-detached appeal property sits along a short residential cul de sac within the settlement of Holcombe. The cul de sac is mixed in character, with a detached two storey dwelling and three sets of two storey semi-detached properties like the appeal dwelling on the western side and detached bungalows on the eastern side.
5. Whilst the appeal property and its attached neighbour have hipped roofs, the other two semi-detached units have either gable ends or a mix of both. It is evident from my site visit that the rear of the properties on this side of Croft Road have all been extended, with a number of two storey rear projections evident and a large rear dormer at No 5.
6. The proposed hip to gable roof extension would alter the appearance of the property and affect the symmetry of the pair of semi-detached properties of which it forms part. However, the resultant form of the building would be similar to that which exists at No 5 and its attached dwelling. Given the context within which this element of the proposal would be viewed I find that the character and appearance of the area would be respected. The existing character of the dwelling as a modest property of traditional appearance would remain.
7. The plans show that the first-floor element of the rear extension would be limited to 3.5m depth and although it would extend across the width of the property, I consider that it would appear subservient to the host property. Although wider than nearby extensions to the rear, this part of the proposal would be of a similar design. It would not appear out of keeping with the character or appearance of the rear of nearby properties, which is the context within which it would be viewed from the nearby footpath.
8. The new dormer would also cover the width of the property. It would be set in from the eaves and slightly set in from the sides and ridge. Although the attached neighbour has no extension at roof level, the nearby property at No 5 does. From nearby gardens and the footpath, this aspect of the proposal would not appear unduly prominent, or disproportionate to the size of the dwelling it would serve, nor would it be out of keeping with the group of dwellings within which it would be located.
9. In light of the foregoing, I conclude that the proposed development would not detract from the character and appearance of the host property or the surrounding area. There is therefore no conflict with Policies DP1 or DP7 of the Local Plan 2006-2029 Part 1: Strategy and Policies (2014) (LP) which seek, amongst other things for development proposals to appreciate and be appropriate to the local built context. This policy is in broad accordance with Part 12 of the National Planning Policy Framework (the Framework), which sets out, amongst other matters, that developments should be sympathetic to local character and history.

Effect on living conditions

10. The proposed rear extensions and dormer include windows on the rear elevation. From these windows views of the rear garden of the host property would be obtained and from the first-floor windows and dormer windows views

would be obtainable over the rear garden of No 2. However, such views would be unlikely to result in a loss of privacy to users of the garden over and above the existing situation, because the presence of a large outbuilding to the rear of No 2 would largely prevent views into the rear garden beyond it.

11. Whilst not a reason for refusal, the Council's delegated report also raises issue with loss of light and outlook with regards to No 2. Given the limited depth of the proposed first-floor element and limited height of the ground floor extension, its impact upon outlook from rear facing rooms and the garden of No 2 would be unlikely to result in harm to the living conditions of the occupiers of this dwelling. Moreover, whilst it is understood that this neighbour has a sun tunnel in the roof of their single storey projection and the extension is located due south of No 2, the small scale of the first floor extension would be unlikely to result in a loss of light or sunlight to the neighbouring rooms or to its garden to a degree that would make these areas less pleasant to use.
12. In light of the foregoing, I conclude that the proposed development would not have a harmful effect on the living conditions of the occupiers of No 2 Croft Road in terms of privacy, light or outlook. The proposal therefore complies with LP Policies DP1 and DP7 which seek, amongst other things, to ensure that the amenities of the occupiers of neighbouring dwellings are protected. These policies are in broad accordance with paragraph 127 f) of the Framework, which seeks for places to be created with a high standard of amenity for existing and future users.

Other Matters

13. The Parish Council consider that the proposal would conflict with the Holcombe Village Design Statement. I have not been provided with a copy of this document but given my findings above and the paragraph quoted in the Parish Council's response, I find no conflict in this regard.
14. It is likely that the construction of the proposal would result in noise and disturbance and dust, but such matters would be likely to be experienced for a relatively short time period. It would be unlikely to cause a nuisance to the degree that would be harmful to nearby occupiers' living conditions. It is noteworthy that this matter was not raised in the Council's reason for refusal.
15. Finally, the potential effect of construction on the boundary wall and foundations also raised as a concern. These issues are covered by separate regulations and are not a matter for this appeal.

Conditions

16. The Council has suggested the imposition of a condition relating to the start date of development, and in addition to requiring compliance with the application plans; I consider these to be appropriate in the interest of clarity. In addition, a condition requiring materials to match the existing original property is also necessary in the interest of the character and appearance of the area.

Conclusion

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed with the suggested conditions.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed with the conditions set out above.

RC Kirby

INSPECTOR