



Appeal Decision

Site visit made on 6 January 2021

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2021

Appeal Ref: APP/V3310/W/20/3259453

Land To The North Of 69 Purley Drive, Bridgwater, Somerset TA6 4UN

- 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 J Panvert against the decision of Sedgemoor District Council.
 - The application Ref 08/20/00074, dated 28 April 2020, was refused by notice dated 9 July 2020.
 - The development proposed is construction of dwelling.
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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 area; and,
 - whether or not the proposal would provide adequate living conditions for future occupants, with reference to outlook, light, noise and outside space.

Reasons

Character and appearance

3. The site comprises open space adjoining a communal parking area within the residential Bower estate. It has commenced permission for a garage, with the floor slab visible. An appeal for a dwelling was dismissed here in 2013¹. Although that was several years ago now, the importance of achieving well-designed development is of at least equal importance today, as expressed by Paragraph 127 of the National Planning Policy Framework (the Framework).
4. Whilst buildings around the site have varying sizes and some occupy small plots, they are largely well proportioned, with balanced elevational treatments to the front. Many are set within a suburban layout, served by identifiable outside spaces and set into their plots with a modicum of soft landscaping.
5. The proposed dwelling would have a very modest plot, unsympathetically set aside the communal parking area, and would appear cramped with negligible outside space and little opportunity for landscaping. The incongruity of this situation would be exacerbated by the design of the dwelling itself which, with its expanses of wall and asymmetrical fenestration arrangement, would have an unbalanced, somewhat contrived, and ultimately harmful appearance.

¹ Appeal Ref APP/V3310/A/13/2198920

6. I accept that the site is to some extent anomalous. However, it is well set back and, whilst it has been a location for dumping, there was little evidence of such at my visit. The erection of the garages would likely remedy this issue, which is not a justifiable reason to allow a poorly designed dwelling here in any event.
7. Consequently, the proposal would have an unacceptable effect on the character and appearance of the area, in conflict with the design aims of Policy D2 of the Sedgemoor Local Plan 2011-2032 (adopted 2019) (SLP) and the Framework.

Living conditions – future residents

8. Whilst the living room would have a dual aspect, it would look out immediately to a close boarded fence and the communal parking area to the west and east respectively. This would not provide adequate levels of outlook or privacy, and the parking area is likely to disturb occupants through noise and light from vehicles. Occupants would also have oppressively limited and enclosed outside space. Moreover, light to these areas would likely be further compromised by the site's position partly underneath the canopy of adjoining trees.
9. Several dwellings in the area have small grounds and are set 'back to back'. However, those I observed are not constrained to the degree that is proposed, and do not justify the standard of living conditions that would arise in this case. I have also had regard to the government's Technical housing standards – nationally described space standard. This document does not negate the need to consider the site specific, practical living conditions for future occupants. It has therefore carried very little weight in my reasoning in this case.
10. As such, the proposal would not provide adequate living conditions for future occupants, with reference to outlook, light, noise and outside space. It would conflict in these respects with Policy D25 of the SLP and the Framework.

Other Matters

11. The appellant has suggested that there is an under delivery of housing in the area. However, this has not been substantiated and the Council has highlighted the latest data from the Housing Delivery Test, which indicates the opposite.
12. Given the suburban layout of the area, it is not untypical for properties to be quite closely set and at divergent angles to one another. The scheme's effect on neighbouring occupants would not be unacceptable within this context.

Planning Balance and Conclusion

13. The proposal would provide a dwelling to the housing stock in a well serviced settlement which is a current and likely future location for growth. Given the small scale of the provision, its social benefits attract limited weight and would be outweighed by the significant harm to the character and appearance of the area and that arising from the living conditions for future occupants. As such, the proposal would conflict with the development plan as a whole and there are no other considerations, including the Framework, that outweigh the conflict.
14. For the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR