



Appeal Decision

Site Visit made on 2 June 2021

by Alison Fish BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2021

Appeal Ref: APP/V3310/W/21/3270897

11A Brightstowe Road, Burnham-on-Sea, Somerset TA8 2HW

- 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 Terry Came against the decision of Sedgemoor District Council.
 - The application Ref 11/20/00136, dated 29 October 2020, was refused by notice dated 16 February 2021.
 - The development proposed is the erection of 2no. low energy sustainable dwellings and formation of new access and parking.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has provided a number of plans which indicate different development proposals for the site, some with a drawing reference prefix of MK4 and some with a prefix of MK5. In order to clarify which plans are relevant to the appeal, the Council provided a list of the drawing numbers they considered at the point of determination of the planning application. The appellant has advised that amendments have been made to some of the plans as part of the appeal submission and they have been annotated accordingly. However, I am not clear what changes have been made and in any event, it would appear that affected parties have not had the opportunity to comment upon these changes. As a result, and taking into account the 'Wheatcroft principles', I have determined this appeal on the basis of the plans considered by the Council in their determination of the application.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. I acknowledge the appellant's evidence that Brightstowe Road and the surrounding area exhibits a wide variety of dwelling types, styles and sizes. However, in the immediate vicinity of the appeal site, Brightstowe Road comprises of predominantly detached residential properties within spacious plots with established planting. The properties are set back from the road with intervening spaces between and this results in a spacious character and feel. The appeal site is located in a gap between two properties, at a slight bend in the road.

5. The appeal proposal relates to the construction of 2 dwellings with '11A' located at the front of the site and the attached 'Little Eden' being set back into the wider rear part of the site. From the street, the 2 properties would appear as 1, with the front door to 'Little Eden' presenting as a garage or outbuilding to the more dominant 11A.
6. My attention has been drawn to a previous appeal for 2 dwellings at the site (ref: APP/V3310/W/18/3215692). In that decision, the Inspector found that the positioning of the 2 dwellings on the plot combined with the slight curve in the road would result in a development which would have a *'pronounced presence in the street scene that would emphasise the narrowness of this part of the plot at odds with the fairly regular wider frontages elsewhere in the street'*. I have considered this proposal afresh, taking into account the alterations that the appellant has made to the scheme but I concur with the previous Inspector's views that the development of the appeal site in the manner shown on the accompanying plans would result in a development which would clearly be at odds with the prevailing character of development in this part of Brightstowe Road.
7. The narrow and restricted plot size results in the parking provision for 2 dwellings being a dominant feature in the street scene, giving a cramped appearance to the site which is clearly at odds with the spacious character of the area. Again, I would conclude in the same way as the previous Inspector that it would not *'sufficiently respect the established spacing of the settlement pattern, which is an intrinsic part of the local character'*.
8. The appellant has clearly taken a lot of time and effort to investigate and incorporate sustainable construction methods into the appeal scheme and this is clearly a commendable part of the proposal. Paragraph 131 of the National Planning Policy Framework (the Framework) requires decision makers to give great weight to outstanding and innovative designs which promote high levels of sustainability so long as they fit in with the overall form and layout of their surroundings.
9. As a result, I have attached moderate weight to the sustainability benefits of the scheme but in line with paragraph 131 of the Framework, I have weighed this against how the proposal relates to its surroundings and have concluded, in line with the previous Inspector that the harm arising from the development in terms of its adverse effect on the character and appearance of the area is not outweighed by the wider environmental benefits highlighted by the appellant.
10. I find that this appeal scheme is harmful to the character and appearance of the area and contrary to policy D2 of the Sedgemoor Local Plan which promotes high quality and inclusive design which respects the local character of the area.

Other Matters

11. I have considered all the other points put to me by the appellant such as the extant consent for 1 dwelling on the site, other planning consents granted in the surrounding area and the ecological benefits of the scheme. These have largely been considered in detail by the previous Inspector. As such I do not propose to reiterate these in the same detail, other than to say that I have

found nothing which would lead me to conclude differently on the merits of the scheme.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

Alison Fish

INSPECTOR