
Appeal Decision

Site visit made on 27 July 2021

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th August 2021

Appeal Ref: APP/F9498/D/21/3273564

The Haven, Ellicombe, Minehead, Somerset TA24 6TR

- 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 David Lang-Smith against the decision of Exmoor National Park Authority.
 - The application Ref 6/10/21/110, dated 15 October 2020, was refused by notice dated 21 April 2021.
 - The development is described as "proposed installation of new dormer window and installation of 2 no. replacement dormer windows, together with re-roofing of the dwelling".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Notwithstanding the original application description above, it was apparent from the evidence of the Authority and from what I saw during my site visit that works to the property are underway. However, across the suite of drawings submitted for the appeal there are a number of inconsistencies, particularly with regard to the proposed balcony and dormers. In the case of the latter, there is no consistency between the drawings as regards the size, positions, and forms of the dormers. In addition, at my site inspection it was apparent that there are further differences between the work that has been undertaken and what has been shown on the submitted drawings. The parties have confirmed that the drawings for my consideration are those as originally submitted for the application and for the appeal. For the avoidance of doubt, I have therefore determined the appeal on the basis of the drawings submitted by the parties, rather than what has occurred on site.
3. The revised National Planning Policy Framework (the Framework) was published in July 2021, and the parties were provided with an opportunity to comment upon those revisions that were relevant to the appeal.

Main Issues

4. The main issues are firstly, the effect of the proposal on the character and appearance of the host dwelling and upon the surrounding area; and secondly, the effect upon the living conditions of the occupiers of White Stack, having particular regard to privacy and outlook.

Reasons

Character and Appearance

5. The Haven is a detached bungalow with rooms in the roof, positioned on a hillside within Exmoor National Park. It is part of the small group of houses and bungalows to the eastern side of Ellicombe Lane. Agricultural fields border the garden of The Haven to the east, whilst to the south the land slopes steeply uphill with a mix of fields and woodlands.
6. There is a housing estate to the north of Combeland Road, but these properties are separated from those along Ellicombe Lane by large gardens and woodland. The physical separation of the estate from the properties along Ellicombe Lane is further enhanced by the presence of narrow lanes bounded by tall hedges and banks that give a distinctly rural character to the area. This, when combined with the dramatic topography, the woodlands and the enclosed nature of the lanes gives a tranquil rural character and appearance to the National Park that is very different to the expansive open nature of the coastal plains and the concentration of development within Minehead.
7. The Haven is positioned to one side of its plot, giving the property a deep front garden. From my site inspection I saw that works to the building were underway. The balcony to the front elevation has been removed, and the roof tiles have been replaced with slates. There are now four dormer windows, two within the front roof plane and two on the rear.
8. There were three existing dormers on the bungalow, but even having regard to this and the inconsistency of the dimensions and positioning of the dormers depicted on the elevational drawings, neither the proposed front nor the rear dormers would harmonise with the host building. The bungalow has a strong horizontal emphasis and the large size and number of the dormers proposed would be a dominant addition, and one that would overwhelm the roofscape giving a top-heavy and unbalanced appearance to the building. Whilst there are other dormers in the nearby properties clustered around the junction of Ellicombe Lane with Combeland Road, a common and linking thread is that these dormers have a subservient size and relationship to the host building, unlike the appeal proposal.
9. Furthermore, each dormer would be a different size. Some of the dormers would be dominated by glazing, whilst others would have large timbered front panels and cheeks. Those to the rear would have flat roofs and one elevation drawing shows the pitched roof of the front dormers disruptively projecting above that of the host roof. Those on the rear elevation would also have differing positional relationships to the roof ridge and eaves. Whatever version of the dormers is considered, the resultant impact would be to create a cluttered and discordant roofscape that would harmfully draw the eye.
10. The walls of the bungalow would be clad with locally sourced timber, and this would create a visual link with the timber on the dormers. However, The Haven is in a prominent position and the building can be seen from long distances away. The front facing dormers would be visible when travelling along the A39 towards Minehead, and this would be particularly intrusive at night if the rooms were illuminated and unscreened. The timber would change in colour as it weathered and aged, but it would remain as a strident contrast to the dark monotone appearance of the slate.

11. There is no specific repeated style, appearance or detailing of the neighbouring dwellings, but despite this they do form a small cluster of buildings whereby no one building dominates. Given this context, the dormers would make The Haven unduly prominent, and this would clash with the discreet nature of the nearby cluster of dwellings. Moreover, this prominence would detract from the attractive landscape and scenic beauty of the National Park.
12. The works have been undertaken to modernise and improve the energy efficiency of the bungalow, as well as address structural issues. This would be a positive benefit of the proposal which would accord with an objective of the Framework as regards mitigating climate change. However, sustainable development also requires the protection and enhancement of the natural environment, as well as requiring well designed development. In addition, the Framework requires that great weight should be given to conserving and enhancing the landscape and scenic beauty of National Parks. For the reasons stated above, the scheme would fail to meet these requirements.
13. The proposal would, therefore, cause unacceptable harm to the character and appearance of the National Park. This would be contrary to Policies GP1, CE-S6, CE-D4 and HC-D15 of the Exmoor National Park Local Plan (2017) (LP). These seek amongst other things, to conserve and enhance the National Park, requiring high quality design that respects local identity, as well as that reflecting the character and appearance of the original building.

Living Conditions

14. The rear elevation of The Haven is close to the boundary of this property with the detached bungalow known as White Stack. This property has a rear garden to the north which would have been overlooked by occupiers of The Haven from the existing rear dormer. Nevertheless, the provision of another dormer on the rear roof slope would afford the occupiers of The Haven with further direct and close views into the front garden of White Stack. Consequently, most of the garden areas of White Stack would be directly overlooked at a close and elevated level by the occupiers of The Haven. The use of curtains as suggested by the appellant could neither be enforced nor relied upon to mitigate the harm of the proposal to nearby occupiers. Furthermore, the combined size of the dormers and their elevated proximity to White Stack would be an imposing and overbearing presence upon the occupiers of this property.
15. Concerns have also been raised that the occupiers of White Stack would experience a loss of light. However, The Haven is to the east, and neither the additional rear dormer nor the projection of the front dormer ridges above the bungalow ridge as shown on one of the elevation drawings, would significantly reduce light levels to White Stack.
16. The appellant has pointed out that the occupier of White Stack no longer lives at the property. Irrespective of the current situation a requirement of the Framework is that development should achieve a high standard of amenity for existing and any future occupiers.
17. The proposal would fail to accord with LP Policies GP1 and CE-S6. These policies seek amongst other things, that development does not detrimentally impact upon the amenities of surrounding residents, thereby reflecting objectives of the Framework.

Other Matters

18. The original application referred to internal and external refurbishment works to the property, including the provision of a replacement balcony. Although the balcony had been removed from the property at the time of my site inspection, the replacement appears much larger. Neither of the main parties have referred to the balcony within their appeal submissions, but as I am dismissing the appeal for other reasons, I have not pursued this matter further.

Conclusion

19. Consequently, the proposal would fail to accord with the development plan when considered as a whole, and there are no material considerations that indicate the application should be determined other than in accordance with the development plan. Thus, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR