
Appeal Decision

Site Visit made on 14 September 2021

by Martin Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 September 2021

Appeal Ref: APP/R3325/D/21/3275447

Castle Cottage, Castle Street, Keinton Mandeville, Somerton TA11 6DX

- 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 Miss R Dale against the decision of South Somerset District Council.
 - The application Ref 21/00705/HOU, dated 1 March 2021, was refused by notice dated 23 April 2021.
 - The development proposed is an extension to rear of property.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised in July 2021. However, as the Framework's policies that are most relevant to this appeal have not materially changed, no parties will have been prejudiced by my having regard to the latest version in reaching my decision.

Main Issues

3. The main issues are the effect of the proposal on (i) the character and appearance of the host property and the surrounding area, and (ii) the living conditions of neighbouring occupiers, with particular regard to any overbearing effect and overlooking.

Reasons

Character and appearance

4. The appeal property comprises a two-storey, end of terrace dwelling with a rear extension under an almost flat roof. The depth of the existing extension appears narrower than that of the span of the main house, resulting in a sense of subservience and a modest appearance. There is a variety to the scale and form of buildings along the road at this location, however there is also a consistency in the use of external facing materials, and I observed a hierarchy to the layout of buildings with the principal building massing located along the road, with smaller, less-assertive elements behind creating a sense of enclosure to the street.
5. The appeal scheme seeks to replace the existing rear extension with an addition of greater scale, and which would be set under a pitched roof. To the external elevations the use of natural local stone is proposed, echoing the use of materials in the wider area. However, the ridge height of the new pitched roof would be higher than that of the main house and the depth of the extension would be greater than the existing gable span of the host property. As a result, the proposed

extension would be a domineering and overly assertive addition, that would be out of scale with, and oppressive to, the existing property.

6. Moreover, the addition would appear as a discordant element at this location and would disrupt the attractive hierarchy of built development that sits along the street. While I note that the appellant contends that the existing pitched roof and the proposed will be viewed distinctly, I find that the presence of the intervening valley would not be such that it would prevent the harm which I have identified.
7. Accordingly, I find that the proposal would be harmful to the character and appearance of the host property and the surrounding area. Thus, it would conflict with policy EQ2 of the South Somerset Local Plan, insofar as it seeks to ensure that development is well designed and conserves the character and appearance of the district. The proposal would also conflict with the design aims of the Framework.

Living conditions

8. The extension would result in an increased amount of built development to the rear of the property that would extend further down the rear garden than the existing. However, given the extent to which the neighbouring property within the terrace also extends rearwards, together with the length of the gardens associated with the dwellings in the terrace, there would be no unacceptable overbearing effect. Moreover, given the separation distance between the proposal and the detached property that neighbours the appeal site, together with that the extension would be positioned alongside its driveway, there would also be no unacceptable overbearing effect experienced by the occupiers of this property.
9. The scheme would introduce a window at first floor level looking eastwards. However, this would overlook the front garden area of the neighbouring property, of which there are already clear views available from the street. Furthermore, any views towards the neighbouring property would be at an oblique angle and would not be significant, particularly given that the proposed window would serve a secondary bedroom space.
10. Therefore, the proposal would not result in an unacceptable effect on the living conditions of neighbouring occupiers, with particular regard to an overbearing effect and overlooking. Accordingly, there would be no conflict with policy EQ2 of the Local Plan, insofar as it seeks to ensure that the residential amenity of neighbouring properties is protected. There would also be no conflict with the living condition protection aims of the Framework.

Other Matters

11. I acknowledge that the proposal would result in an improvement to the living space within the dwelling with benefits to the occupiers. This matter is not sufficient however to outweigh the harm I identify.

Conclusion

12. While there would be no adverse effect on the living conditions of neighbouring occupiers, there would be harm to the character and appearance of the host property and the area; this harm is decisive. For the reasons given above I conclude that the appeal should be dismissed.

Martin Allen

INSPECTOR