



Appeal Decision

Site visit made on 7 September 2021 by Max Webb BA (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2021

Appeal Ref: APP/W3330/D/21/3277398

Top Cottage, Coombe Lane, West Monkton, Taunton TA2 8RB

- 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 S Argall against the decision of Somerset West and Taunton Council.
 - The application Ref 14/21/0003, dated 14 February 2021, was refused by notice dated 29 April 2021.
 - The development proposed is an extension to the existing cottage.
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Decision

1. The appeal is dismissed.

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.

Procedural Matter

3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). I have had regard to this as a material consideration however, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. The issues most relevant to this appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issues

4. The main issues in this appeal are the effect of the proposed development on:
 - the character and appearance of the host dwelling and surrounding area; and
 - the living conditions of the occupiers of Bottom Cottage, with particular regard to privacy.

Reasons for the Recommendation

5. The appeal property forms part of a semi-detached pair. Both properties have a traditional cottage style, partly displayed by the relatively mismatched fenestration. The appeal dwelling is located on elevated ground above the

neighbouring property. The semi-detached pair have a unique amenity space layout, with the neighbouring property, Bottom Cottage, having its garden to the north and the appeal dwelling having its garden to the south, stretching along the south elevation of Bottom Cottage.

Character and Appearance

6. The proposal would add a large extension to the elevation that is seen when approaching the south of the property. This extension would be a substantial addition and, although very slightly set down from the ridgeline and being slightly shorter than the host dwelling, the length and width would add significant bulk to this part of the property. This size would bring the proposal into close proximity with the existing porch area, which would have an awkward juxtaposition and overwhelm this part of the property. The proposal would therefore not appear as a subservient addition.
7. On the most visible south and west elevations of the proposal, the fenestration, whilst not entirely symmetrical, would not have the same mismatched arrangement and size that is seen on the host dwelling. The proposal would thus appear unsympathetic to the character of the host dwelling. The proposal would use materials and built details such as a gable and roof pitch to match the host dwelling. However, this would not reduce the lack of subservience to an acceptable level.
8. Properties in the vicinity of the appeal site have a range of built design, some with alterations, though these are significantly different properties to the appeal proposal. This therefore would not alter the harm that the proposal would cause to the appeal dwelling. The appeal property would not be visible from the nearby listed building, due to the distance and substantial level of greenery. This would also not diminish the harm found to the character and appearance of the host dwelling.
9. Overall, the proposal would cause harm to the character and appearance of the host dwelling. It would therefore not comply with Policies DM1 and CP8 of the Taunton Deane Core Strategy 2011-2028 (adopted 2012), which together aim to ensure proposals do not harm the appearance and character of affected buildings and landscapes, with particular regard to scale. It would also conflict with Policy D5 of the Taunton Deane Adopted Site Allocations and Development Management Plan (adopted 2016), which seeks to protect the form and character of development and ensure extensions remain subservient. It would likewise go against the aims of Policy CSM4 of the Creech St Michael Parish Council Neighbourhood Development Plan 2018-2028 (adopted 2019), which require development to complement and enhance local character.

Living Conditions

10. The proposed extension would have multiple windows and two doors on the elevation facing Bottom Cottage. The proposal would be a reasonable distance from this property, however due to the unique garden layout of the semi-detached pair, there would be a lack of screening between the proposed windows and the south elevation of Bottom Cottage. This means that there would be overlooking towards the south elevation of Bottom Cottage from the two first-floor windows furthest out on the proposed projection. The position of the proposal on higher ground than the neighbouring property means there would also be overlooking from the set of double doors furthest out on the

proposed projection. This would cause significant harm to the privacy of the occupiers of Bottom Cottage.

11. The neighbour may not have objected to the principle of an extension; however, they do raise concerns over the effect of the proposal on their privacy. Regardless of this, for the above reasons, the proposal would cause harm to the living conditions of the occupiers of Bottom Cottage.
12. It would therefore conflict with Policy DM1 of the Taunton Deane Core Strategy 2011-2028 (adopted 2012), which aims to protect the amenity of residential areas. Likewise, it would not comply with Policy D5 of the Taunton Deane Adopted Site Allocations and Development Management Plan (adopted 2016), which looks to prevent development that would harm the residential amenity of neighbouring dwellings. The Council's decision refers to Policy CSM4 of the Creech St Michael Parish Council Neighbourhood Development Plan 2018-2028 (adopted 2019). However, this Policy does not appear to relate to living conditions and is therefore not relevant to this issue.

Other Matters

13. The planning permission granted in 2008 considered a proposal for an extension that had a slightly smaller size than the appeal development, had different fenestration and was not in close proximity to the porch. These differences mean that the previously granted proposal, when compared to the appeal proposal, would have been more acceptable in terms of appearance and the privacy granted to the neighbouring property.
14. The desire for the appellant to provide additional accommodation and living space, as well as the challenges of COVID-19, have been considered. However, they would not outweigh the harm caused to the character and appearance of the host dwelling and the living conditions of the occupiers of the neighbouring property.
15. The actions of the Council during the application process do not alter the substantive planning considerations in this appeal.

Conclusion and Recommendation

16. For the reasons given above and having had regard for the Development Plan when it is considered as a whole, I recommend that the appeal is dismissed.

Max Webb

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR