The Planning Inspectorate

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: 12 October 2021

Appeal Ref: APP/W3330/D/21/3276381
8 Elworthy Drive, Wellington TA21 9AT

- 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 Newberry against the decision of Somerset West and Taunton Council.
- The application Ref 43/21/0011, dated 3 February 2021, was refused by notice dated 21 April 2021.
- The development proposed is the creation of a single storey rear extension, creation of a first-floor extension to the side of the property over the garage, single storey front extension, creation of a driveway and creation of a boundary wall in the front garden.

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.

4. The Council's Planning Officer confirms that the ground floor rear extension would be possible through permitted development rights. Furthermore, there seems to be no objection to the installation of the front driveway and front boundary wall. Therefore, this appeal will focus only on the first-floor side and single storey front extensions.

Main Issues

5. The main issues in the appeal are the effect of the first-floor side and single storey front extensions on:

    - the character and appearance of the host dwelling and the surrounding area; and

- the living conditions of the occupiers of 7 Elworthy Drive, with regards to loss of light and whether there would be an overbearing impact.

Reasons for the Recommendation

6. The appeal dwelling is located in a group of four almost identical, in terms of size and built form, two-storey detached properties with single-storey projections to the side. The appeal street has a stepped building line, with each dwelling located slightly further back from one neighbour and slightly in front of the other neighbour. Dwellings in the wider area are a variety of sizes and built design, however they have some features that bring the appearance of the area together. For example, the presence of a stepped front elevation and the modest gaps between the properties, particularly at first-floor level. The gaps between dwellings gives the area a relatively open character.

Character and Appearance

7. The proposed side extension would be above the existing ground floor side projection. This would bring the appeal property closer to the neighbouring dwelling and almost remove the gap between the properties. This would appear cramped, particularly when compared to the more open character of the surrounding area.

8. The proposed single-storey front extension would bring the front elevation slightly forwards and introduce a sloping roof at ground-floor level across the front elevation. This would disrupt the flat stepped front elevations seen in the vicinity, and therefore would appear incongruous. Although the stepped building line would be maintained, the side and front extension together would interrupt the symmetry seen between this property and the group of surrounding properties.

9. Together, the front and side extensions would significantly increase the overall size of the dwelling. This, combined with the reduction in the gap to the neighbouring property, means the proposal would appear overly large, and not subordinate, despite the side extension being slightly set back, having a lowered ridgeline and not extending beyond the existing rear elevation. The use of matching materials would not diminish this harm.

10. Overall, the proposed side and front extension would cause harm to the character and appearance of the host dwelling and the surrounding area. It would therefore conflict with Policy DM1 of the Taunton Deane Core Strategy 2011-2028 (adopted 2012), which aims to protect the appearance and character of buildings and street scenes. It would also not comply with Policy D5 of the Taunton Deane Adopted Site Allocations and Development Management Plan (adopted 2016), which seeks to ensure extensions do not harm the form and character of the host dwelling and are subservient in terms of scale and design.

Living Conditions

11. The stepped building line of the properties on the street means the appeal dwelling projects significantly beyond the rear of the neighbouring property, 7 Elworthy Drive. Therefore, the wall of the side extension would be located in close proximity to the rear windows and rear amenity area of No.7. Where it would be two storeys, this would cause a loss of light and an overbearing impact on the rear windows and garden area of the neighbouring property. As

the rear of No.7 receives limited light already, it would be particularly sensitive to these effects of the proposal.

12. Overall, the proposed side extension would cause harm to the living conditions of the residents of No.7. It would thus contradict Policy DM1 of the Taunton Deane Core Strategy 2011-2028 (adopted 2012), which looks to ensure development does not harm the amenity of neighbouring dwellings. It would also go against the aims of Policy D5 of the Taunton Deane Adopted Site Allocations and Development Management Plan (adopted 2016), which seeks to prevent development that harms the residential amenity of other dwellings.

Conclusion and Recommendation

13. For the reasons given above and having had regard to 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

14. 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