



Appeal Decision

Site visit made on 23 February 2022

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 March 2022

Appeal Ref: APP/W3330/W/21/3280700

2A Dyers Close, West Buckland, Wellington TA21 9JU

- 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 Uwejoma of U.M.A Construction Limited against the decision of Somerset West and Taunton Council.
 - The application Ref 46/21/0004, dated 30 October 2020, was refused by notice dated 29 March 2021.
 - The development proposed is the change of use and the extension of the former village shop storeroom to form a self-contained dwelling together with parking and associated work.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the (i) the effect of the proposal on the character and appearance of the area and (ii) whether or not adequate living conditions would be created for future occupants, with reference to indoor space.

Reasons

Character and appearance

3. Paragraph 130 of the National Planning Policy Framework (the Framework), amongst other things, requires the decision maker to ensure that proposals will add to the overall quality of an area, be visually attractive as a result of good architecture, and maintain a strong sense of place, using the arrangement of spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
4. The storeroom comprising the site was previously connected to the village shop which has since been converted into the flat 2A Dyers Close. This part of Dyers Close presents as a typical residential street, with predominately brick houses in repetitive styles under pitched roofs. Where there are garages, they are single storey, set back into their site and deferential to the dwellinghouses they serve. As a redundant store, the site is arguably an anomaly within the street scene. However, it is well set back and low profile, with an innocuous presence.
5. The proposed dwelling would sit within the stepped building line on this side of Dyers Close but would fail to assimilate in other respects. Its single storey, projecting, utilitarian and cuboid form, finished in render, with sparse, domestic fenestration, would offer a conspicuously crude and confused design. It would be at odds with the appearance and hierarchy of development in the street.

6. This leads me to conclude on this issue that the proposal would have an unacceptable effect on the character and appearance of the area. It would conflict with the design aims of Policies DM1 and CP8 of the Core Strategy 2011-2028 (adopted 2016) (CS), Policy D7 of the Site Allocations and Development Management Plan (SADMP) (adopted 2016) (SADMP) and the National Planning Policy Framework (the Framework).

Living conditions

7. Paragraph 130 of the Framework also seeks schemes to create places which promote health and well-being, with a high standard of amenity for users.
8. Policy D10 of the SADMP sets minimum internal space standards for housing, which closely reflect the Government's Technical housing standards – nationally described space standard (2015). For dwellings of the type proposed, Policy D10 requires a minimum of 39sqm of gross internal floor space and 1sqm of internal storage space. The nationally described space standard also requires 1sqm of internal storage space, but drops its requirement for gross internal floor space to 37sqm as the property would contain a shower in lieu of a bath.
9. The main parties do not agree as to the internal space of the proposed dwelling, with the Council stating a figure of 36.84sqm and the appellant measuring the internal space to be 37sqm on the nose. However, even if I were to accept the appellant's figure, the layout does not show any dedicated internal storage space, relying instead on outdoor storage. Consequently, the minimum space standards set by both the development plan and by the Government would not be met either way in this case.
10. Accordingly, I conclude on this issue that the proposal would fail to create adequate living conditions for future occupants, with reference to inside space. The proposal would conflict with the residential amenity aims of Policy D10 of the SADMP and the Framework.

Other Matters

11. On the evidence before me I am unable to rule out, in the first instance, likely significant effects on the integrity of the Somerset Levels and Moors Ramsar Site as a result of increased phosphates through wastewater emanating from the proposed dwelling. Had I been minded to allow the appeal, it would have been necessary for me to consider this matter further within an Appropriate Assessment. As I am dismissing the appeal for other reasons, I have not.

Planning Balance and Conclusion

12. The harm to the character and appearance of the area and the failure of the scheme to create adequate living conditions for future occupants draws it into conflict with the development plan when read as a whole. There are no other considerations, including the Framework and the likely energy efficiency and security of the dwelling, that outweigh this conflict.
13. For the reasons outlined above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR