
Appeal Decision

Site visit made on 10 May 2022

by L Page BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 May 2022

Appeal Ref: APP/F0114/D/22/3294088

8 Dymboro Avenue, Midsomer Norton BA3 2QR

- 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 Chris Green against the decision of Bath & North East Somerset Council.
 - The application Ref 21/04968/FUL, dated 4 November 2021, was refused by notice dated 10 February 2022.
 - The development proposed is 2 storey side extension, single storey rear extension, loft conversion with dormer and new single storey outbuilding.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The site is located in a predominantly residential area with a modest degree of design variation between dwellings. However, there is a strong sense of character derived from symmetrical semi-detached pairs of dwellings within the street scene.
4. For example, there are both hipped and gable roof profiles in the area, but each semi-detached pair will typically have one uniform roof profile and not an asymmetrical one.
5. Whilst I note the appellant's contention to the contrary, No. 2 & 4 Dymboro Avenue is a limited example and does not represent the prevailing symmetrical context within which the proposal needs to be assessed.
6. The site includes a dwelling part of a semi-detached pair which together enjoy a uniform hipped roof profile and otherwise symmetrical proportions elsewhere within the built form.
7. The proposal would introduce a hip to gable extension which would disrupt the symmetry of the roof profile leading to an imbalanced appearance. The side extension, given its appreciable scale, would exacerbate this imbalance and altogether the semi-detached pair of dwellings would look incongruous in the street scene.

8. I note the appellant's contention about the extension's balance, insofar as it may be subservient to the host dwelling. However, it is the imbalance of the semi-detached dwellings as a pair that is the central issue and not whether the extension is subservient and balanced with the host dwelling in isolation.
9. Whilst I note that the Council contend that the rear dormer extension would also exacerbate this imbalance, I am not clear that it would be sufficiently prominent in the street scene, or that symmetry and proportions hold the same importance at the rear.
10. Similarly, taking the design of the side extension in isolation, whilst there would be a step in the form of the structure, it is not clear that this step would be sufficiently visible within the street scene, or sufficiently pronounced to detract from the overall form of the side extension in and of itself.
11. It is acknowledged that the proposal would incorporate a modern aesthetic in terms of materials, but this is not a matter in dispute and there is no evidence that there would be meaningful enhancements that should be weighed against the identified harms.
12. Although the appellant's view is that existing housing stock should be allowed to evolve, it is clear from the particular context in this case that the evolutions proposed would cause unacceptable harm.
13. Overall, although I do not concur with every instance of the Council's reasons for refusal, the proposal's hip to gable extension and cumulative effect of the side extension would still harm the character and appearance of the area.
14. Consequently, the proposal would not accord with Policies CP6 of the Bath and North East Somerset Council Core Strategy 2014 or Policies D1, D2, D3 and D5 of the Bath and North East Somerset Placemaking Plan 2017. Among other things, these seek to ensure that proposals are appropriately designed.

Other Matters

15. Whilst it is appreciated that the extension would provide additional space for private family interests, it has not been demonstrated that there would be any public benefits that could be weighed against the harm identified under the main issue.
16. The appellant contends that aspects of the proposal would be permitted development. However, there is no lawful development certificate submitted into evidence demonstrating that this would be the case. Consequently, any potential fallback position has been given limited weight in my decision.
17. It may be the case that the site is not located in a conservation area or within the setting of a listed building or other designation with a higher level of protection. However, this does not mitigate the harm identified in general character and appearance terms, as identified under the main issue.
18. Intensity of the use is not disputed by the Council and has not been determinative under the appeal.

19. The full details of the other applications and an appeal for extensions cited by the appellant are not in front of me. Consequently, I cannot determine that they should carry any more than limited weight in my assessment.

Conclusion

20. For the reasons given, the appeal is dismissed.

Liam Page

INSPECTOR