



Appeal Decision

Site visit made on 12 July 2022

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 July 2022

Appeal Ref: APP/D0121/D/22/3295806

15 Castle Road, Weston-Super-Mare BS22 9JW

- 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 Marc Davies-Atwell against the decision of North Somerset Council.
- The application Ref 21/P/2977/FUH, dated 25 October 2021, was refused by notice dated 25 February 2022.
- The development proposed is described as Two storey extension.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the surrounding area; and
 - the effect of the proposed development on the character and biodiversity of the surrounding area, with particular regard to trees.

Reasons

Character and appearance

3. Forming a corner plot, the site contains a two-storey end-of-terrace dwelling with a pitched roof and a single-storey garage. The surrounding residential area contains a mixture of properties with a variety of designs, including some larger semi-detached buildings, bungalows and similar two-storey terraced properties. Although the built environment in the locality therefore has a somewhat mixed appearance, pitched roofs predominate and flat roofs are generally limited to smaller features such as porches, garages and outbuildings. The spacing between buildings also gives the cul-de-sac a relatively open character while the views of the trees beyond, provided by the gaps between the terraced houses, serve to soften the area's appearance.
4. With its forward projection from the main building, flat-roof facing the street and greater eaves height, the proposed extension would read as an awkward, incongruous and cramped addition and would erode the open character of the locality. Although it would be in a relatively narrow area in the far corner of Castle Road and would be finished in similar materials to the main building, I observed on my site visit that the proposed development would be a notable feature in the streetscene and read as a disjointed, incompatible addition. Rather than lessening its impact, the flat roof part of the proposed extension

would also draw the eye and heighten the development's harmful effect on the streetscene. In coming to this view, I have taken into account that the proposed extension would replace the existing garage and be at a slightly lower level than the street, that the ridge of the extension's pitched roof section would match the main building and that the flat roof section would minimise its mass. The presence of the two-storey side extension on the neighbouring end-of-terrace property does not lead me to a different conclusion.

5. For the above reasons, I conclude that the proposed development would harm the character and appearance of the surrounding area. I therefore find that it conflicts with North Somerset Council's Policy CS12 of the Core Strategy (CS) and Policies DM32 and DM38 of the Development Management Policies Sites and Policies Plan Part 1 (SPP). Amongst other aspects, these seek development of high quality architecture and urban design which do not harm the street scene and which demonstrate sensitivity to the local character and enhance the area. The proposal would also be inconsistent with the provisions in the National Planning Policy Framework (Framework) in relation to achieving well-designed places and section 2 of the guidance of the Council's Supplementary Planning Document 'Residential Design Guide'.

Trees

6. Adjoining the Local Green Space known as Lynch Farm Park, there are several Council-owned trees situated along the shared boundary with the site and in close proximity to where the proposed extension would be. Observing on my site visit that the trees are relatively large and well-established, it seems to me that they not only positively contribute to the area's character by providing a verdant setting within the built-up context, but also support the area's biodiversity by providing habitat and food for wildlife for example.
7. Given the proximity, and based on the available evidence, the proposed extension would be positioned within the root protection areas of the closest trees in the park. The proposed development could therefore directly harm them. However, suitable construction methods, such as those suggested by the appellant, and the site's elevation above the park means that the development could be constructed in a manner that would avoid damaging the trees and their roots to the extent that the trees' viability would be put at risk.
8. I am therefore satisfied that the construction of the proposed development would not result in unacceptable direct harm to the trees. However, given their size and the position and layout of the proposed extension, the trees would significantly restrict the amount of natural light that would reach the main windows that would serve the kitchen and bedroom. It appears inevitable that occupiers of the extended property would consider that their living conditions were therefore being affected by the limited light levels in the extension's kitchen and bedroom.
9. The trees would thus likely be viewed as a conflict rather than, as per the guidance in the Council's Biodiversity and trees Supplementary planning document (SPD), an asset. It seems to me that the occupiers would at some future point therefore likely seek to have the trees, if not felled, at least significantly pruned. Reducing their extent, this would erode the trees' positive contribution to the locality and reduce the amount of potential habitat and food available for wildlife. The presence of the extension on the neighbouring

property and its similar position in relation to trees in the park does not lead me to a different conclusion.

10. For the above reasons, I conclude that the proposed development would harm the character and biodiversity of the surrounding area, with particular regard to trees. I therefore find that it conflicts with CS Policies CS4, CS5, CS9 and CS12 and SPP Policies DM8, DM9, DM10 and DM32. Amongst other aspects, these seek to maintain and enhance biodiversity, protect wildlife habitats, safeguard green infrastructure, achieve high quality places, protect and enhance character, and require development to be sensitive to local character, to conserve characteristic natural features of the area and demonstrate that the long term retention of trees is realistic. The proposal to would also be inconsistent with the Council's Biodiversity and trees SPD.

Planning Balance

11. I note that the appellant considers that the Planning Officer did not act in a positive and proactive manner. However, I have limited my considerations to the planning matters before me, and I have determined the appeal on the submitted evidence.
12. I have found that the appeal proposal would harm the character, appearance and biodiversity of the surrounding area. In turn, it would conflict with CS Policies CS4, CS5, CS9 and CS12 and SPP Policies DM8, DM9, DM10, DM32 and DM38. As such, I find that it would be contrary to the development plan as a whole.
13. I recognise that the proposal would provide the appellant's family with sufficient accommodation for their needs. In addition, no concerns regarding matters such as overlooking have been raised, Weston Town Council supported the planning application, and the appellant sets out that careful consideration was also given to the Council's Design Guides. However, neither these matters nor the proposed development facilitating easier access compared to the dwelling's existing stepped entrance outweigh the harm I have identified or provide justification for development that conflicts with the development plan.

Conclusion

14. For the above reasons, the appeal is dismissed.

T Gethin

INSPECTOR