



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/W3330/W/22/3292874

Little Stoke, Blenheim Road, Minehead TA24 5QB

- 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 Dascombe against the decision of Somerset West and Taunton Council.
 - The application Ref 3/21/22/004, dated 8 January 2022, was refused by notice dated 11 February 2022.
 - The development proposed is Erection of a detached annex.
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Decision

1. The appeal is allowed and planning permission is granted for Erection of a detached annex at Little Stoke, Blenheim Road, Minehead TA24 5QB in accordance with the terms of the application, Ref 3/21/22/004, dated 8 January 2022, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing site layout plans (Drawing No 2318.1/100); Proposed Site Plans (Drawing No 2318.1/200); and Proposed Plans & Elevations (Drawing No 2318.1/201).
 - 3) Prior to occupation of the development hereby permitted, the external walls shall be finished with painted render, the roof with plain clay tiles and the doors, windows and rooflights with timber frames.
 - 4) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of Little Stoke.

Preliminary Matters

2. As the proposal is in a conservation area, I have paid special attention to the desirability of preserving or enhancing the character or appearance of that area, as set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the surrounding area and the Wellington Square Conservation Area (CA); and

- the effect of the proposed development on the living conditions of adjoining occupiers.

Reasons

Character and appearance

4. The appeal site contains a detached building – Little Stoke – with a large area to the rear which includes a garden with soft landscaping and hardstanding with two single-storey outbuildings. This part of the site adjoins the rear garden area of the Promenade Hotel. Although containing various outbuildings/structures, together they form a relatively open, soft landscaped space situated between the surrounding early 20th century buildings. Visible in public views from Esplanade, the combined area (the open space) positively contributes to and helps soften the built-up character of the locality and provides a strong visual contrast with the striking, substantial buildings grouped around it. The character of this part of the Wellington Square CA and its significance stems from this amongst other aspects, and the Council's Conservation Area Review (2003), identifying the enhancing presence of the green space of Blenheim Gardens and the grounds of larger houses, highlights the importance of open space in this part of the CA and as a whole.
5. With its modest footprint, single storey height and pitched roof, the scale and mass of the proposed development would not be significant. Although it would be taller than the existing outbuildings on the site, its erection would necessitate the removal of those structures and its greater height would not be significant given its pitched roof form. This would mean that the proposed annex would neither unacceptably change nor significantly increase the extent of small-scale buildings in the open space and it would not compete with or detract from the substantial surrounding buildings. With the appeal proposal not proposing to relocate the outbuildings, the erection of additional built form elsewhere on the site or the parking of vehicles on the soft landscaped garden/lawn area, any such future works or uses that may be contemplated on the site are not a matter for me to consider as part of this appeal.
6. The annex would be visible from Esplanade, which is set down below the level of the open space. This would be, as described in the Council's Design Guide, a key view from an important vantage point. However, I observed on my site visit that public views of it from Esplanade would be relatively limited due to the restricted height of the annex and the screening provided by soft landscaping and the summerhouse in the adjoining garden. Although part of the rear of the site can also be seen through the driveway beside Little Stoke, the proposed annex would not be particularly visible from Blenheim Road because of its height, significant set-back in the site and position in relation to the hedge which separates the garden and hardstanding. Accordingly, the annex would not be particularly noticeable or prominent from the public realm. Nor would it read in any views as eroding the open nature of the site and locality or the sense of space between the large surrounding properties. Although the annex would be visible from adjoining properties, this does not lead me to a different conclusion.
7. With respect to its appearance, the appellant has proposed that the roof of the annex could be finished in clay rather than slate tiles. Together with the proposed painted rendered walls, this would ensure that its external finish

would suitably reflect the surrounding built environment and thus enable the annex to acceptably relate to its context.

8. For the above reasons, I conclude that the proposed development would not harm the character and appearance of the surrounding area and the Wellington Square CA, whose significance would be preserved. I therefore find that it accords with Policies NH1, NH2 and NH13 of the West Somerset Local Plan to 2032 (WSLP). Amongst other aspects, these require development to sustain and/or enhance the historic heritage of the district, preserve or enhance the character or appearance of conservation areas, and meet the highest standards of design. The proposal would also be consistent with the provisions in the National Planning Policy Framework (Framework) in relation to conserving and enhancing the historic environment and making effective use of land.

Living conditions

9. The proposed annex would be situated in reasonably close proximity to Eversleigh and the Blenheim Lodge residential home, and would bring built form closer to both properties and their windows which face the site. However, the annex, with its pitched roof and modest scale and bulk, would have a relatively limited height. It would also not be positioned immediately adjacent to the site's boundaries with those properties.
10. Accordingly, it would not result in a significant or unacceptable loss of natural light or outlook for the occupiers of Eversleigh or Blenheim Lodge. The degree of separation to other surrounding properties indicates that the living conditions of occupiers of those buildings would also not be harmed. Given the form – including roof lights rather than dormer windows – and position of its fenestration, it would also not result in overlooking of surrounding properties.
11. For the above reasons, I conclude that the proposed development would not harm the living conditions of adjoining occupiers. I therefore find that it is consistent with the provisions in the Framework in relation to providing a high standard of amenity for existing users.

Other matters

12. The site is partly within flood zones 2 and 3. However, the Council has not raised any objection in relation to flooding, most of the site falls in flood zone 1 and the available evidence indicates that the annex would largely be positioned beyond and would extend away from the higher risk area. On this basis and from the submitted evidence, including the appellant's flood risk assessment and the Council's review of this matter, I am satisfied that the annex would neither be at significant risk of flooding nor increase flood risk in the locality.
13. With respect to parking and highway matters, the evidence before me indicates that the proposal would not result in an increased demand for parking and that there would be space for three vehicles to park on the site. From my site visit observations, it seems to me that this would not be particularly different from the existing situation and I note that the Highway Authority did not object. The width of the site access and visibility with the highway do not lead me to a different conclusion.
14. Although the submitted plans show a sitting area and WC as well as a home office, and another planning application (which is the subject of a separate appeal) involved a new dwelling in a similar part of the site, this proposal is

described as an annex to be used in conjunction with the host dwelling and it would not provide separate self-contained accommodation. I have determined the appeal on this basis. A planning condition can also be imposed to ensure that the proposed development is used in this manner.

15. A number of other matters have been raised by interested parties and I have taken them all into account. This includes matters such as: whether existing structures or an extension on the site could be used instead of erecting the annex; the Design and Access Statement stating there is no relevant planning history despite the proposal for a new dwelling on the site; whether the appellant intends to run a business from the site and the potential effects of that; the effect on biodiversity of removing the existing outbuildings; whether the proposal involves tandem development; privacy within the annex; access for emergency vehicles; potential for a further planning application to extend the annex into a dwelling; setting a precedent; and whether the existing outbuildings on the site have planning permission. However, whilst I take these representations seriously, I have not been presented with compelling evidence to demonstrate that the appeal proposal would result in unacceptable effects in relation to any of these matters. Consequently, they do not lead me to a different overall conclusion that the appeal should be allowed.

Conclusion and Conditions

16. For the above reasons, the appeal is allowed.
17. In addition to the standard time limit condition, I have imposed a condition requiring the carrying out of the development in accordance with the approved plans in the interests of certainty. A condition covering external materials is necessary in the interests of the character and appearance of the area and CA. However, I have amended the Council's suggested wording for clarity and to ensure that the annex is finished in the required materials prior to occupation. A condition restricting the use of the development to purposes ancillary to the residential use of Little Stoke is necessary to prevent the approved building from being occupied separately to the main residence.

T Gethin

INSPECTOR