



Appeal Decision

Site visit made on 7 March 2023

by J Evans BA(Hons) AssocRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th March 2023

Appeal Ref: APP/W3330/D/22/3311994

Cridlands, Hill Street To Kingswood, Stogumber, Somerset TA4 3TP

- 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 Nick Lawton against the decision of Somerset West and Taunton Council.
 - The application Ref 3/31/22/011, dated 16 September 2022, was refused by notice dated 7 November 2022.
 - The development proposed is described as the construction of a two storey rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for the construction of a two storey rear extension at Cridlands, Hill Street To Kingswood, Stogumber, Somerset TA4 3TP in accordance with the terms of the application Ref: 3/31/22/011, dated 16 September 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2442-100A Existing Site Plans; 2442-101 Existing Floor Plans; 2442-102 Existing Elevations; 2442-200B Proposed Site Plans; 2442-201B Proposed Floor Plans and 2442-202A Proposed Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. The appellant provided a revised plan (Number 442/201B Proposed Floor Plans) as part of their appeal submission which omits the 'formation of the vehicle access and hardstanding' from the appeal development, which formed part of the proposals determined by the Council and was relevant to reasons 2 and 3 on the decision notice. Having regard to the 'Wheatcroft Principles'¹, given this plan reduces the development for my consideration, I am satisfied that the revised plan does not change the development to a degree that would prejudice those who should have been consulted of the change, the opportunity to comment. Accordingly, I have assessed the proposal on the basis of the revised plan.

¹ (Bernard Wheatcroft Ltd v SSE [JPL 1982 P37])

3. As a consequence, I have reworded the description of the development as set out above, as I consider this better describes the proposals before me, which refers specifically to the construction of a two storey extension, I have removed reference to the vehicle access and hardstanding. Therefore reasons 2 and 3 on the decision notice are no longer of relevance to my considerations.

Main Issue

4. The main issue in this case is the effects of the development on the character and appearance of the appeal property and the wider area.

Reasons

5. The appeal property is an extended vernacular dwelling which runs in a linear manner in close proximity to the adjacent rural lane. The property is positioned in the context of rising topography to the south and to the west. When approaching from the east, the eastern gable of the property, which forms part of the original dwelling, becomes visible as you approach a turning to a lane that leads upwards to the west.
6. The appeal proposal would provide for an extension to the rear of the property through a pitched roof form, which would provide for first floor accommodation predominately within the roof space. The level of the extension would step up from the main dwelling, whilst the eaves and ridge levels would match. The extension would marginally stagger back from the existing eastern gable. A dormer is proposed to the western elevation of the proposal which would face over an enclosed private yard. The materials proposed would consist of a slate roof, rendered elevations and fenestration detailing similar to that on the host property.
7. Whilst I acknowledge that the appeal proposal would have an effect on the linear character of the host property when perceived from the rural lane to the east, as the proposal would be slightly set back from the building line of the existing gable and the roofline would pitch away, the gable form of the existing dwelling would remain the dominant built form feature on the property. Further, the rising topography to the side and to the rear of the appeal proposal, alongside the treescape behind, would also reduce the visual and character effects when viewed from the east. Elsewhere, the proposal would be difficult to view from public vantage points. For these reasons, I conclude that the appeal proposal would safeguard the prevailing characteristics of the appeal property.
8. As a result, the proposal would accord with Saved Policy BD/3 of the West Somerset District Local Plan 2006², which amongst other matters sets out that alterations or extensions to existing buildings should use materials appropriate to adjoining buildings and the design must have an appropriate scale, proportions and detailing that is reflective of the character of the buildings to which it relates. The proposal would also align with the design principles for residential alterations and extensions set out within Section 5.9 of the Somerset West and Taunton Council adopted Districtwide Design Guide Supplementary Planning Document 2021. The proposal would additionally accord with paragraph 130 of the National Planning Policy Framework 2021 which amongst other matters requires development to be sympathetic to local

² As set out in Appendix 4 of the West Somerset Local Plan to 2032

character and history, including the surrounding built environment and landscape setting.

Conditions

9. The standard time limit is required together with a condition listing the plans in the interests of certainty. I have also included a condition that requires the external materials to be used, to match those on the existing building. The Council have sought that a condition is imposed regarding a landscaping scheme, however I do not consider that such a condition would be necessary in this case due to the limited visibility of the appeal proposal and the topography of the surroundings.

Conclusion

10. For the reasons given above, having regard to all matters raised, I conclude that the appeal should be allowed.

J Evans

INSPECTOR