



Appeal Decision

Site visit made on 7 March 2023

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th May 2023

Appeal Ref: APP/V3310/D/22/3313423

8 Walnut Drive, Bridgwater, Somerset TA6 5DD

- 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 G Elliott against the decision of Sedgemoor District Council.
 - The application Ref 08/22/00132, dated 9 August 2022, was refused by notice dated 2 November 2022.
 - The development proposed is erection of single storey extension to south elevation.
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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 appeal property is positioned within a residential area that comprises a mix of bungalows and houses of similar ages and styles that are constructed from repeated palettes of materials. These similarities, along with the repeated forms and sizes of the dwellings gives a cohesive, planned appearance to the estate, a distinctive element of which is the presence of multiple footpaths that provide pedestrian permeability between the roads. Many of the houses and bungalows front these paths and have garages and drives to the rear. There are also areas of public open space along some of the footpaths, and this when combined with the presence of mostly open plan front gardens, gives a spacious and planned appearance to the estate.
4. 8 Walnut Drive is a semi-detached bungalow that is part of a row of bungalows to the northern side of a footpath. To the southern side of this path is a terraced row of houses, and like the bungalows, most of these houses have open front gardens that creates a spacious setting to the group and to the footpath. This and the mostly straight nature of the path provides long views, including its connection with another footpath that links Walnut Drive with Canworth Way.
5. The proposed extension would bring the bungalow much closer to the footpath than any of the nearby houses and bungalows, and in doing this it would harmfully disrupt the spacious appearance and relationship

that exists between the dwellings and the public realm. The extension would be constructed of matching materials and set in from the flank walls of the bungalow, and this and the replication of the roof pitch would give it a legible subservience to the host building. However, as it would extend for much of the depth of the garden it would erode the spacious setting of the footpath. Even with its single storey form, the close proximity of the extension to the footpath would give the bungalow a disruptive prominence when compared to other nearby properties.

6. The extended length of the bungalow would be visible from long distances away, particularly when walking along the footpath. Given the length and proximity of the extension to the footpath it would make the bungalow a visual focal point in an area where no one dwelling dominates. This prominence would be exaggerated by the inclusion of a large high-level window that would be an incongruous feature in an area that is characterised by dwellings with conventional fenestration and void patterns.
7. There would be a strip of garden between the footpath and the extension, but its narrow depth would not ameliorate the overbearing and enclosing presence of the extension. In addition to the low timber fence delineating the boundary of the appeal property there is also a high fence to the other side of the footpath. The combination of these fences along with the extension would result in the footpath passing through a narrow, constrained section that would have an oppressively enclosed and intimidating nature when compared to the long views and spacious setting that characterises not only the footpaths but also the nearby dwellings.
8. Having regard to the planned cohesion of the estate and the visual and functional importance of footpaths within it, the extension would be a harmfully disruptive feature within the area. This would be particularly so in this instance as within the cluster of dwellings that front the footpath near to the appeal property, all retain the spacious separation from it, thereby exaggerating the prominence of the appeal proposal.
9. There are a variety of extensions to nearby properties, albeit mostly to their rear rather than to the front. There are other extended bungalows near footpaths, such as at 17 and 14 Walnut Drive. In both these cases there are no fences delineating the footpath boundary and this and the positioning of the extensions away from the paths retains the open setting, including maintaining the long forward sight lines for users, as also occurs at 23 Alderney Road. As regards the erection of an additional dwelling at 2 Canworth Way, this is a very different proposal than that which is before me, albeit one which again retains the long line of sight along the footpath. Given these differences, none of the comparisons forms a binding precedent for approving the appeal scheme.

10. The appellant considers the proposal would be the sustainable development sought by the National Planning Policy Framework (the Framework). There would be a small economic benefit to the community arising from the construction of the extension, but the impact of this would be short lived and limited. Existing and future occupiers of the property would contribute to local taxes and would be near to and contribute to local services and facilities, but such economic and social benefits would arise irrespective of the appeal proposal, and the requirement of the extension for the family needs of the appellant would be a personal benefit. Whilst a key aim of the Framework is to achieve sustainable development, including the effective use of land, when read as a whole the Framework does not suggest that this should happen at the expense of other considerations. The Framework also requires that planning decisions are sympathetic to local character and maintain as strong sense of place, as well as creating safe places. For the reasons given above, the proposal would not accord with these objectives.
11. Thus, the extension would unacceptably harm the character and appearance of the area, and the conditions suggested by the parties would not overcome this fundamental harm. The proposal would fail to accord with objectives of the Framework, nor with the requirements of Policy D2 of the Sedgemoor Local Plan (2019). This policy seeks, amongst other things, development that responds positively to and reflects the particular local characteristics of the site and the identity of the surrounding area.

Other Matters

12. At my site inspection I saw that there was timber fencing delineating the garden of the appeal property. The Council have pointed out that the fencing needs planning permission, and the appellant has suggested a condition could be attached to allow it. However, details of fencing the property have not been provided with either the original application nor for the appeal, and the appeal process should not be used to evolve a scheme. The matter of the fencing would be for the main parties to address, as in the interests of openness and fairness the proper course of action would be to make a further application to ensure all interested parties were aware of all the relevant information.

Conclusion

13. Thus, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR