
Appeal Decision

Site visit made on 27 April 2023

by Rebecca McAndrew, BA Hons, MSc, PG Dip Urban Design, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 May 2023

Appeal Ref: APP/V3310/W/22/3312944

Sycamore Farm, Turnpike Road, Shipham, Winscombe BS25 1TX

- 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 Leigh Scotcher against the decision of Sedgemoor District Council.
 - The application Ref 44/21/00018 EC, dated 27 September 2021, was refused by notice dated 9 June 2022.
 - The development proposed is the erection of one detached two storey dwelling and parking, as well as the formation of a new pedestrian access.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are;
 - Whether the proposed development would provide acceptable living conditions for future occupants, in terms of the level of garden space which would be provided; and
 - Whether the proposed development would unacceptably harm the living conditions of the neighbouring occupiers of Sycamore Farm, in terms of outlook.

Procedural Matters

3. The Council's Reason for Refusal refers to the impact on two first floor windows in adjacent property, Sycamore Farm which is also in the appellant's ownership. The appellant has submitted an updated plan and as part of this appeal which indicates that these windows have now been blocked up, which I confirmed on my site visit. I have therefore considered the appeal as such.

Reasons

4. The appeal site is modest in size. The proposed large, detached dwelling would front onto Turnpike Road and span almost the full width of the plot. The scheme proposes a vehicular access off Sycamore Road and a parking area, which would occupy a significant proportion of the land to the rear of the proposed dwelling. The limited remaining space between the house and the parking area would form the private garden area for the development.

5. This minimal outdoor area would fall below the level of private garden area which could be reasonably expected for a dwelling of this size. Consequently, the appeal proposal represents overdevelopment, and it would not provide a satisfactory standard of living conditions for future occupiers.
6. The blank side elevation of the proposed dwelling would sit close to the joint side boundary with Sycamore Farm. At the time that the Council determined the planning application, this house included two upstairs windows in the elevation facing the appeal site. Due to the limited distance between the two properties, the proposed house would have dominated and unduly harmed the outlook from those bedrooms.
7. Given that the appellant has now blocked up these window openings, the relationship between the two properties would now be acceptable. As such, the proposed dwelling would not unduly harm the living conditions of neighbouring occupiers. However, this does not outweigh the overall harm I have described to the living conditions of future residents.
8. Taking all matters into consideration, I conclude that the proposal would represent overdevelopment of this limited site and therefore would not achieve a satisfactory level of living conditions for future residents. Consequently, the proposal would be contrary to Policies T3a, D2 and D25 of the Sedgemoor Local Plan 2011-2032 (2019) which, taken together, seek to secure good quality development which provides satisfactory living conditions for future residents.

Other Matters

9. I note that in 2011 there were discussions between the appellant and the Council regarding developing the site. However, given the limited information before me in this respect and the significant amount of time which has passed since the discussions referred to, I attach limited weight to this in making my decision.
10. I recognise that developing this vacant site could improve the character and appearance of the area. However, any benefit in this respect would not outweigh my concerns regarding the harm that I have identified in terms of overdevelopment and the unacceptable level of living conditions proposed for future occupiers.

Conclusion

11. For the reasons given above, I conclude that the appeal should be dismissed.

Rebecca McAndrew

INSPECTOR