



Appeal Decision

Site visit made on 11 December 2024

by H Faulkner BSc (Hons) MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 February 2025

Appeal Ref: APP/E3335/W/24/3345467

33 Tower Hill, Williton, Somerset TA4 4JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Charlotte Bruce - Tregenna Group against the decision of Somerset Council.
 - The application Ref is 3/28/23/003.
 - The development proposed is for the erection of three dwellings following the demolition of the existing dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In December 2024, a revised version of the National Planning Policy Framework (the Framework) was issued. The main parties have been given the opportunity to comment on any implications of the revised Framework and I have taken these comments into account as part of my assessment of the scheme.

Background and Main Issue

3. The proposal relates to the redevelopment of a site within a settlement. The principle of redeveloping the site for housing is accepted and the main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

4. Tower Hill is a main road into Williton with houses on either side. There are a mix of detached and semi-detached properties with dwellings generally being set a reasonable distance back from the road. Driveways and gardens form the prevailing character of the frontages many with thick established hedge boundaries. Detached houses are generally large and are sited on generous plots. This is the case for the appeal site and the properties on the north side of the road.
5. The West Somerset Character Assessment 1999 refers to closely packed cottages and farm buildings of simple design being characteristic of the Central West Somerset Character Area and The District Wide Design Guide Supplementary Planning Documents 2021 shows part of Williton as a close-knit modern development. However, this is in contrast to the area around the appeal site which is predominantly characterised by low density housing, with the grain of

development loosening away from the centre of the settlement, particularly on the northern side of Tower Hill.

6. The spacious nature of the appeal site and others in this part of the settlement provides an attractive environment towards the edge of Williton into the rural area beyond. The open countryside can be seen in views across the site.
7. Three two-storey houses arranged broadly in a row with relatively narrow plots would replace a single house. Although the building line is generally followed the proposed houses would be sited much closer together and nearer to neighbouring boundaries than other properties in the area. This would be at odds with the arrangement and plot size of most of the properties on the north side of Tower Hill. The proposed garages in front of the houses, which are not common in the area, would further exacerbate the cramped arrangement of the plot. Although, the use of single storey elements retains some sense of space at the upper floor level the overall spacious character of the plot would be lost by the development.
8. Detached houses situated on large plots informs the spacious character of the area. In contrast, three houses on a single plot, whilst making more efficient use of the site would be significantly detrimental to the quality of the area. The existing density of the site is low within an area where densities vary, however, the arrangement of the houses so close together would make them appear cramped in a manner which is not common in this part of the settlement.
9. The hedge at the front of the plot, along with the additional landscaping proposed, and the topography of the site would reduce the overall visibility of the proposed houses and garage. Despite this, they would still be highly visible from the road particularly when approaching from the west where views across the access drive are available.
10. The style of properties in the area is varied although there are common themes such as hipped roofs with gable details and bay windows. Some properties have more ornate architectural features. The use of render and clay tiles also contributes to a consistency in the character and appearance of the area.
11. There is some limited variation in the design of the proposed houses, however, the consistency between the properties and their close arrangement has more of a modern housing estate appearance than the more varied form of the surrounding detached dwellings, particularly on the northern side of the road. Despite having gable frontages, and there being some similarity with the alterations approved at 35 Tower Hill, their simple design does not positively reflect the local design features.
12. Policy NH13 of the West Somerset Local Plan to 2032 (2016) (WSLP) requires development to meet the highest standards of design and, amongst other things, states that development should make a positive contribution to the local environment. The appellant considers that the inclusion of the term 'where appropriate' suggests flexibility in the application of the policy. My interpretation of the policy is that 'where appropriate' refers to whether or not the succeeding bullet points are applicable. In any event, rather than making a positive contribution to the local environment as required by the policy the proposal would have a harmful effect on the area's character and appearance.
13. Furthermore, paragraph 135 of the Framework requires development to be sympathetic to local character and history, including the surrounding built

environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change (such as increasing densities). As set out above the proposal would not be sympathetic to the local area. It is recognised that the site increases density but the manner in which this is presented is harmful to the character of the area.

14. To conclude, whilst the height and two storey nature of the dwellings along with the materials may be consistent with those established in the area this does not sufficiently mitigate for the uncharacteristic design, with plot sizes smaller than the surrounding houses and limited space between the dwellings. As such, the proposal does not meet the highest standards for design and does not respond well to the location context or make a positive contribution to the local environment and its distinctive character and would therefore be contrary to Policies NH13 WSLP.

Other Matters

15. The appellant makes reference to the approval of dwellings at Union Quarry (ref: 3/28/21/002) and to the rear of 47 Tower Hill (ref:3/28/17/008) both to the east of the site. The appellant argues that these examples demonstrate that the linear form along Tower Hill has been disrupted. Both sites are to the rear of houses on the main road so the visual impact on Tower Hill is not comparable. In any event the proposed development broadly reflects the building line in the area and was not found to be out of keeping for disrupting the linear pattern of development.
16. The site lies within a consultation zone for the Exmoor and Quantocks Special Area of Conservation. Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 indicates that the requirement for an Appropriate Assessment is only necessary where the competent authority is minded to give consent for the proposed development. Therefore, given my overall conclusion on the main issue, it is not necessary for me to consider this matter in any further detail.
17. The Council's Landscape Officer did not object to the proposals, I have, however, reached my own findings based on the evidence and my observations on site.
18. Whilst there is support for the scheme in terms of the provision of three family houses this needs to be balanced against the effect on the character and appearance of the surrounding area.

Planning Balance

19. The statutory status of the development plan is the starting point for decision making and this is not changed by the Framework. Due to the harm to the character and appearance of the area there is conflict with Policy NH13 of the WSLP. As the development conflicts with the development plan as a whole it should be refused unless material considerations indicate otherwise.
20. The case submitted by the appellant is that the Council cannot demonstrate a five-year supply of housing. The Council in their final comments in response to the updates to the Framework do not dispute this.
21. If the Council are not able to demonstrate a five-year supply of housing then paragraph 11d) of the Framework is relevant to the appeal. This paragraph explains that in these circumstances, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

22. In its favour, the proposal would provide two additional houses on a windfall site in an accessible, established residential location, would reuse land and make more efficient use of the site, providing additional housing choice. Making a small but meaningful addition to housing supply particularly if this is as low as 3.55 years. It is also beneficial that the scheme could potentially be built out quickly. These factors are given substantial weight. Economic benefits during construction and from new residents also weigh in favour of the scheme.
23. It is also recognised that the proposal would replace a building which may be in poor condition and thermally inefficient. The new homes would have enhanced thermal qualities and sustainable features such as air source heat pumps and electric vehicle charging. The new dwellings may also be more accessible than the existing house.
24. The benefits of the scheme would be considerable, however, the extent of the adverse impacts I have identified in terms of the character and appearance of the area would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole. As such the proposal would not represent sustainable development.

Conclusion

25. The proposed development would conflict with the development plan, when read as a whole and there are no other material considerations, including the provisions of the Framework, that outweigh this finding. Therefore, for the reasons given the appeal should be dismissed.

H Faulkner

INSPECTOR