



Appeal Decision

Site visit made on 12 June 2025

by **C Butcher BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 June 2025

Appeal Ref: APP/W3330/W/25/3363372

Park Lane Cottage, 301 New Road, Bickenhall, Somerset TA3 6TZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Prosser against Somerset Council.
 - The application Ref is 04/24/0006.
 - The development proposed is proposed change of use of land to form part of the dwelling and the erection of a garage and ancillary accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have determined this appeal on the basis of the Council's failure to determine the planning application within the statutory timescale. However, I have had regard to the Council's appeal statement, in so far that it provides clarity on the reasons why the Council would have refused planning permission had it been able to do so.

Main Issues

3. The main issues are the effect of the proposed development on: (i) the character and appearance of the area; and (ii) the living conditions of the occupiers of the host dwelling with regards to outlook and light.

Reasons

Character and Appearance

4. The appeal site is located in a highly rural and isolated area. It comprises an expanse of gravel between a dwelling and a large barn, as well as an area of grass to the north of the two buildings.
5. In part, the proposal would provide a two storey garage block between the dwelling and barn which would include ancillary space at first floor level. In helping to orientate me during my site visit, the appellant noted that the eastern elevation of the garage would be set behind the line of the dwelling and barn, and that this would ensure that the garage would not partially block the entrance to the barn. I have no doubt that this was the appellant's intention. However, I must make my decision based on the approved plans before me. Indeed, if I were to allow the appeal, then the garage would have to be constructed in full accordance with those plans.

6. In this instance, the proposed site plan very clearly shows that the garage would be sited in front of the barn, and partly in front of the dwelling. It is inevitable that such an arrangement would look highly cramped and incongruous. Furthermore, the garage would be clearly visible from Grughay Lane and so this harm would be readily apparent from the public realm.
7. The garage building would be quite a distinctive design with a mansard style roof. However, I do not consider that it would look particularly out of place when considered within the context of the fairly modern dwelling and barn adjacent to it. Indeed, it seems to me that its design would be pleasing to the eye when considered in isolation and I therefore do not find harm in this regard.
8. The proposal also seeks to extend the curtilage of the dwelling. While I acknowledge that there would likely be an increase in domestic paraphernalia, the extended area would be very modest in size, and as such, it would not be perceived as an encroachment into the surrounding countryside and would not alter the fundamental character of the surroundings.
9. Nevertheless, due to the proposed siting of the garage, I conclude that the proposal would harm the character and appearance of the area. It would therefore conflict with Policies CP8 and DM1 of the Taunton Deane Core Strategy, September 2012 (the LP), which in part, seek to ensure that new development is well designed and that it preserves character and appearance. It would also conflict with the relevant aspects of the District Wide Design Guide which has similar aims.

Living Conditions

10. As already noted, the proposed garage is shown on the approved plans as being partly in front of the existing dwelling. Indeed, the southern elevation of the garage would be in fairly close proximity to two windows, one on the ground floor of the house and the other at first floor level. Although I recognise that these rooms are likely to have other windows, the intimate relationship between the two buildings would inevitably make the occupiers feel more enclosed to some degree when using those rooms. Furthermore, it is likely that the siting of the garage would reduce the amount of light reaching those two windows. I note that I have no substantive evidence before me to demonstrate that this would not be the case, or that any reduction would be inconsequential to living conditions.
11. As a result, I conclude that the proposed development would harm the living conditions of existing and future occupiers of the dwelling to a limited extent. It would therefore conflict with LP Policy DM1, which in part, seeks to ensure that living conditions are preserved.

Other Matters

12. I note that the appellant has sought to submit additional plans which show an alternative location for the garage, set behind the barn and dwelling. While these plans would likely overcome the harm that I have identified, changing the position of the garage would fundamentally alter the proposed development. As such, I am not able to accept these plans as part of this appeal.
13. The appellant has noted that they have previously constructed three similar buildings elsewhere. I do not have the full details of those schemes before me, but

in any event, I have not found harm in relation to the appearance of the garage building, only its proposed siting.

Conclusion

14. The proposed development would result in harm to character and appearance and living conditions, and as such, it would conflict with the development plan when considered as a whole.
15. The benefits of the scheme are wholly private in nature by providing the appellant with additional garage and ancillary space. Accordingly, there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. The appeal is therefore dismissed.

C Butcher

INSPECTOR