



Appeal Decision

Site visit made on 6 January 2026

by Lewis Condé BSc, MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 February 2026

Appeal Ref: APP/E3335/W/25/3374582

57 Summerland Avenue, Minehead, Somerset, TA24 5BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Sarah Harrison, SAH Property Ltd, against the decision of Somerset Council.
 - The application Ref is 3/21/25/031.
 - The application sought planning permission for 'Conversion of 3 No. flats plus 1 No. bedsit into 5 No. flats, replacement of single glazed windows to the side and rear with double glazed units, replacement of roof and insertion of additional dormers, Velux windows and sun tunnel, minor window and door arrangement alterations to rear elevation and single side window and internal alterations to improve access and layout' without complying with a condition attached to planning permission Ref 3/21/25/019, dated 27 June 2025.
 - The condition in dispute is No 2 which states that: 'The development hereby permitted shall be carried out in accordance with the following approved plans:
(A3) DrNo 165-DR-A-080-001 Site block and location.
(A3) DrNo 165-DR-A-080-002 Rev A Proposed Ground Floor Plan
(A3) DrNo 165-DR-A-080-003 Rev A Proposed First Floor
(A3) DrNo 165-DR-A-080-004 Rev A Proposed Second Floor
(A3) DrNo 165-DR-A-080-005 Rev A Proposed Elevations & Sections
(A1) DrNo 72398YOLS-01 Measure Building Survey Floor Plans, Elevations & Section'
 - The reason given for the condition is: 'For the avoidance of doubt and in the interests of proper planning'.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for the award of costs has been made by SAH Property Ltd against Somerset Council. This is subject to a separate decision.

Background and Main Issue

3. Planning permission (ref: 3/21/25/019) (the 'permission') was granted for the development in the banner heading above subject to conditions. This included Condition 2 that listed the approved drawings. At the time of my site visit, it appeared that works pursuant to the permission were being undertaken.
4. The appellant has subsequently sought to remove Condition 2 of the permission to enable an alternative design of development to come forward that would incorporate a front dormer to the appeal building.

5. In light of the above, the main issue is whether the condition is reasonable or necessary in the interest of the character and appearance of the host property and surrounding area.

Reasons

6. The appeal property is a semi-detached building that has previously been converted into flats. It is situated on a predominantly residential street where, despite some differences in detailing, the properties share a largely consistent form. This uniformity mainly derives from their linear arrangement, consistent building lines, and similarities in scale and materials.
7. While some dwellings have altered their roofs — including through the addition of a small number of front dormers— the front roofscape along the street remain broadly consistent. This contributes positively to the character of the street, reinforcing a strong sense of repetition and rhythm within the built form.
8. The proposed front dormer would form a sizeable and unsympathetic addition, even though it would be positioned within the existing roof slope, above eaves level and below the ridge. Although it would reflect the dormer on the adjoining property and introduce a degree of balance to the pair, that neighbouring dormer already disrupts the coherence of the front roofscape and is not a feature that warrants replication.
9. Positioned alongside an existing unsympathetic dormer and occupying a prominent location within the streetscene, the proposal would draw further attention to, and exacerbate, the existing uncharacteristic form. The presence of mature trees would not sufficiently mitigate the visual impact of the proposed development.
10. Permission has already been granted for a rooflight and sun tunnel to the front roof slope of the appeal property, along with the removal of the chimney. These works will introduce some visual interruption to the rhythmic roofscape. However, the inclusion of the proposed dormer, due to its scale and appearance, would result in significantly greater harm.
11. In reaching the above views, I have taken account of other examples of front dormers on Summerland Avenue and neighbouring streets, including those highlighted by the appellant. Some were not directly comparable due to their precise design or siting. Moreover, I also have very limited details of the background context of these other examples, including whether they have each secured planning permission. Nonetheless, only a small number of such dormers were evident, and they do not form part of the prevailing pattern of development nor provide a positive precedent that would support the appeal proposal.
12. The appeal scheme therefore conflicts with Policies BD/3 and NH13 of the West Somerset Local Plan 2032 (adopted 2016). These policies, amongst other matters, promote high-quality design in new developments that makes a positive contribution to the local environment. These policies are also consistent with the provisions of the National Planning Policy Framework (the Framework) whereby it seeks to promote well designed development that is visually attractive and sympathetic to local character.

13. Accordingly, I find the disputed planning condition to be both reasonable and necessary in the interest of the character and appearance of the host property and the surrounding area.

Other Matters

14. The proposal would increase the internal space available to occupants of the residential unit, thereby allowing for greater flexibility and enhanced use of the accommodation space. However, such benefits do not overcome the harm identified above.
15. The appellant has raised concerns over the manner in which the Council dealt with the planning application, but these matters are not determinative to this appeal which has been considered on its planning merits.

Conclusion

16. For the reasons outlined above the appeal scheme is contrary to the development plan and there are no material considerations, including the provisions of the Framework, that justify a decision other than in accordance with it. The appeal is therefore dismissed.

Lewis Condé

INSPECTOR