



Appeal Decision

Site visit made on 27 October 2014

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 December 2014

Appeal Ref: APP/R3325/A/14/2223467

19A Brue Avenue, Bruton, Somerset BA10 0HZ

- 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 John Loosemore against the decision of South Somerset District Council.
 - The application, Ref. 14/01733/FUL, dated 9 April 2014, was refused by notice dated 10 June 2014.
 - The development proposed is to form a new one bedroomed dwelling over the existing double garage and bungalow known as 19A Brue Avenue, Bruton using attic trusses creating a 1.5 storey height.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposal on the character and appearance of the area; (ii) the adequacy of the on-site parking and turning facilities and the access, and any consequential effects as to their safe and convenient use, and (iii) the effect on the living conditions for neighbours and future occupiers of the development by reason of privacy. My consideration of the issues is in part informed by a previous appeal dismissed in November 2013 relating to the demolition of the existing building and the erection of a pair of semi-detached houses (Ref. APP/R3325/A/13/2196073), 'the previous appeal'.

Reasons

Character and Appearance

3. The appeal scheme involves the retention of the existing structure and footprint of the garage and bungalow but the undertaking of substantial alterations and additions to increase its height to one and a half storeys. This would allow the creation of two flats, one at ground floor and one at first floor but accommodated in the roof space.
 4. The appellant argues that the proposal would be in accordance with paragraph 111 of the National Planning Policy Framework 2012 ('the Framework') as it would be a more effective use of a brownfield site. It would also add a dwelling to the housing stock in a sustainable location. Whilst this is undoubtedly true,
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regard must be also had to whether the appeal scheme satisfactorily responds to the constraints of the site. In my view, the major limiting factor is the proximity of the surrounding dwellings, comprising the semi-detached pair of Primrose Cottage and Daffodil Cottage immediately to the north; Hawthorne Hollow, the small bungalow immediately to the south and No. 12 Burrowfield Close to the west.

5. Whilst the altered building would be somewhat lower than the building proposed in the previous appeal, it would still read as an essentially two storey structure. The windows in the eastern roof slope would draw the eye and give emphasis to the disparity in height and bulk with the particularly modest profile of Hawthorne Hollow. I consider that this disparity would appear somewhat incongruous, and in conjunction with the tight spacing between the buildings at the end of the cul-de-sac, result in a reasonable perception of 'over-development' of this part of the streetscene.
6. The other main disadvantage of the increase in height would be the effect on the open character between the appeal building and No. 12 Burrowfield Close and its neighbours. Although this modest distance of about 11m or 12m can accommodate a single storey building as observed by the Inspector in the 2006 allowed appeal for the existing bungalow, the proposed increase in height would be visually intrusive. This would be a further negative impact on the character and appearance of this relatively high density mix of older and newer residential development.
7. Overall on this issue I conclude that the proposal would have a harmful effect on the character and appearance of the area in conflict with Saved Policies ST5 and ST6 of the South Somerset Local Plan 2006. It would also be contrary to Section 7: 'Requiring Good Design' of the Framework.

Parking, turning and access

8. The increase in the number of vehicles requiring access to the development, together with their turning and parking as a result of the extra dwelling, is referred to in two of the refusal reasons. I accept the Council's argument that the integral garages would be too small to permit them to be conveniently used. Dimensions of 6m x 3m for garages are now the recognised standard both locally and nationally to avoid the practical difficulties which prevent their regular use.
9. Because of the substandard garage size, parking would be likely to occur in front of both garages and when combined with the requirements for Hawthorne Hollow I consider that the turning area would be wholly inadequate. As the Council has pointed out, the effect of this would almost certainly be lengthy reversing and this would have implications in terms of safety, noise and conflict between the occupiers.
10. I have noted the appellant's comments as regards bus services but I find no reason which would lead me to disagree with the Inspector's conclusion in the previous appeal that public transport accessibility and the ease of reaching shops and services on foot is not good enough to warrant any relaxation of parking standards. This applies both to the numbers and size of spaces and the adequacy of the manoeuvring areas.

11. On this issue I consider that the proposed parking and turning areas would be insufficient, inconvenient and hazardous and that this would be contrary to Local Plan Policy ST5 and paragraph 32 of the Framework.

Living Conditions

12. The main concern remaining is a loss of privacy for existing and future occupiers. However the scheme is substantially different in this regard to the proposal in the previous appeal. I consider that with the proposed roof lights in the western elevation there would not be a particularly strong perception of overlooking by occupiers of 12 Burrowfield Close and its neighbours. To the west the windows would face the houses in Brue Avenue but there is intervening screening and these properties have relatively long gardens which enable achievement of the standard separation distances between opposing windows.
13. For the cluster of development at the end of the cul-de-sac as a whole, the high density already results in a degree of mutual overlooking. However I do not consider that the additional dwelling would increase it by a significant amount in conflict with Local Plan Policy ST6 and the fourth bullet point of paragraph 17 of the Framework.

Conclusion

14. Although I do not regard a loss of privacy as being a sufficient basis for refusal of the application, this favourable conclusion for the appellant does not outweigh the significant harm caused on the first two issues of character and appearance, and parking, turning and access. I have had regard to all other matters raised, including references to other paragraphs in the Framework, but have found nothing to alter my conclusion that, on balance, the appeal should be dismissed.

Martin Andrews

INSPECTOR