



Appeal Decision

Site visit made on 14 May 2007

by **B J Juniper** BSc, DipTP, MRTPI

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

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Date: 1 June 2007

Appeal Ref: APP/R3325/A/07/2033839

8 Barton Close, Bower Hinton, Martock, TA12 6LX

- 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 Richard Walsh against the decision of South Somerset District Council.
- The application Ref 06/03507/FUL, dated 29 September 2006, was refused by notice dated 24 November 2006.
- The development proposed is the provision of an external staircase.

Decision

1. I allow the appeal, and grant planning permission for the provision of an external staircase at 8 Barton Close, Bower Hinton, Martock in accordance with the terms of the application, Ref 06/03507/FUL, dated 29 September 2006, and the plans submitted with it, subject to the following condition:
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this decision.

Reasons

2. 8 Barton Close is a first floor flat above a row of four garages, three of which serve other nearby houses. It is in a terrace which otherwise comprises two-storey houses and the only access to the flat's rear garden, which is behind the central two garages, is through the garage which serves the flat.
3. The proposed spiral staircase would be accessed from the flat by a pair of glazed double doors and this would enable occupiers of the flat to look out over the large garden of the house to the rear and the smaller gardens of the houses to either side. In effect a new viewpoint would be introduced as the flat has no rear facing windows at present, other than roof lights which are well above floor level and do not afford the occupants a view out. All of the gardens are, however, already overlooked to some extent from first floor windows in the adjoining houses so in terms of the view from inside the houses there would be no significant change to the present situation.
4. There would be a small landing at the top of the staircase from which a wider view would be obtainable and, in particular, into the garden of No.9. However, the landing would not be of sufficient size to form an effective balcony so there would be little prospect of occupiers staying there for any length of time. The views available to those using the staircase I consider would be transient. I do

not consider that the proposal would result in any material loss of privacy for adjoining occupiers or be contrary to Policy ST6 of the South Somerset Local Plan 1991-2011.

5. Whilst there was some objection expressed to the Council about the appearance of the staircase, I judge it to be simple and uncluttered. Although it would be a significant element on what is at present a largely featureless elevation, it would not be visible from any nearby public viewpoint. For the same reason, I do not consider it necessary to impose, as the Council suggested, a condition restricting the colour in which the staircase could be finished.

B J Juniper

INSPECTOR