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# Appeal Decision

Site visit made on 17 February 2011

**by Olivia Spencer BA BSc DipArch RIBA**

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

**Decision date: 11 March 2011**

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**Appeal Ref: APP/R3325/A/10/2137787**

**Podgers Orchard, East Street, Drayton, Somerset TA10 0LA**

- 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 David Aldridge against the decision of South Somerset District Council.
  - The application Ref 10/01991/FUL, dated 12 May 2010, was refused by notice dated 7 July 2010.
  - The development proposed is a detached cottage in the garden of Podgers Orchard.
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## Decision

1. I dismiss the appeal.

## Main Issues

2. The main issues are:
  - the effect of the proposed development on the setting of The Old Court House which is listed grade II and on the character and appearance of the Conservation Area
  - whether the proposed development would meet policy objectives for sustainable development
  - the effect of the proposed development on the living conditions of occupiers of The Old Court House with regard to privacy
  - the effect on highway safety in East Street

## Reasons

### *Listed building and the Conservation Area*

3. Two grade II listed former farmhouses, The Old Court House and Red House/Linsey Cottage, dominate the south side of East Street, east of North Street. Both sit on the road edge with their former barns and ancillary buildings to the side and behind. The space around them bears witness to their historic use, gives them a grandeur appropriate to their scale and provides not just an important element of their setting but a significant feature also of the streetscape and the Conservation Area.
4. The existing house at Podgers Orchard is relatively modest in scale and well separated from the former farmhouses to each side. The proposed cottage would be of a similar height but would be set back from the road close to the

boundary wall with The Old Court House. In this location it would both disrupt the established pattern of houses sitting directly on the street and encroach on the spacious setting of the listed farmhouse. In particular I consider it would appear as an imposing feature intruding on the relationship between The Old Court House and its barn.

5. The proposed cottage would have a bland generic 'country style' appearance with little reference to local vernacular details. The Council has highlighted in particular the proposed external chimney stack, brick detailing and the porch. I saw no evidence on my site visit that these are characteristic features of buildings within the Conservation Area. The obtrusive impact that the cottage would have in eroding the gap between Podgers Orchard and The Old Court House would in my view be compounded by its poor design quality.
6. I conclude that the proposed cottage would fail to preserve the setting of The Old Court House and fail also to preserve the character and appearance of the Conservation Area contrary to Policies EH1 and EH5 of the South Somerset Local Plan (LP) 2006.

#### *Sustainability*

7. I note that the cottage would have a number of energy saving features. However, the site lies beyond any area allocated for development and is remote from services and facilities. Public transport from the village is limited to a day time service on Tuesday and Friday. Occupiers would need to use private cars to get to shops, doctor's surgeries etc. And whilst I understand that the appellant wishes to join his family at Podgers Orchard and that some sharing of resources may be possible, future occupiers of the house would almost certainly need to travel also to schools and work places.
8. Development plan policies reflect national guidance in seeking to strictly control new housing in unsustainable countryside locations such as this. There is no functional or economic need for the dwelling to be located in the countryside and neither the energy saving proposals nor the appellants wish to live close to his family is sufficient to overcome this strong policy objective. I conclude therefore that the proposed development would fail to meet the objectives for sustainable development set out in Policy STR6 of the Somerset & Exmoor National Park Joint Structure Plan Review (SP) 2000 and LP Policy ST3.

#### *Living conditions*

9. The proposed cottage would be set further back from the street than The Old Court House. Nevertheless it would not be far enough back to allow ready views from upper windows to the rear façade of this neighbouring house. Views would be available to the driveway area at the site of the house, but this is open and visible now from the public street. The area close to the barn however is considerably more private with no overlooking at present from adjacent dwellings. Views from the upper rear windows of the proposed house to this evidently well used area of The Old Court House property would, I consider, be experienced by residents as intrusive. Whilst I note that other areas of the garden would remain private, I conclude that the proposed development would thus be detrimental to the living conditions of occupiers of The Old Court House contrary to LP policy ST6.

*Highway safety*

10. Although moved further west, the proposed access would fail to provide adequate visibility to ensure safe movement of vehicles from the driveway. To the east, the visibility would be very substantially less than that recommended in national guidance. East Street is a narrow lane with many gateways and driveways opening onto it. It is reasonable to assume therefore that drivers pass down it with caution. Nevertheless, the proposed development can reasonably be expected to result in a doubling of the number of vehicle movements in and out of the site with possible conflict between vehicles at the entrance. Overall this would result in an increased risk to pedestrians and vehicle drivers. Whilst electronic sensors and traffic calming measures could potentially assist in improving road safety in East Street, I have seen nothing to indicate that these would be installed in the near future. I conclude therefore that the proposed development would fail to provide safe access and thus be detrimental to the safety of highway users contrary to the objectives of SP Policy 49.

*Other considerations*

11. The Council has advised me that the development recently granted planning permission at Langdons involves the conversion of an attached barn. The impact of such a development on adjacent listed buildings and on the street scene would be very different to that resulting from the proposed development at Podgers Orchard. No direct comparison can therefore be made with the appeal proposal which I have considered on its own merits. Whilst I note the appellants concern that his application has not been dealt with in the same terms as that at Langdons, this is not sufficient to outweigh the considerations that led to my conclusions on the main issues.

*Olivia Spencer*

INSPECTOR