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# Appeal Decision

Site visit made on 8 March 2011

**by Paul Griffiths BSc(Hons) BArch IHBC**

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

**Decision date: 17 March 2011**

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**Appeal Ref: APP/R3325/D/11/2143736**

**Laburnum Farm, Low Ham, Langport TA10 9DS**

- 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 & Mrs G A Richards against the decision of South Somerset District Council.
  - The application Ref.10/04174/FUL, dated 30 September 2010, was refused by notice dated 13 December 2010.
  - The development proposed is to erect a conservatory to the south elevation of the property.
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## Decision

1. I dismiss the appeal.

## Main Issue

2. This is the effect of the proposal on the character and appearance of the existing dwelling and the wider street-scene.

## Reasons

3. The existing dwelling was originally an agricultural building and despite the changes made to it to facilitate its use as a dwelling, the simple, functional, form of the original building is still relatively easy to discern. The conservatory proposed would introduce an overtly domestic feature on a principal elevation. Such an addition would complicate the form of the building, appear incongruous, and further mask its simple, functional origins. This would harm the character and appearance of the existing dwelling.
4. Notwithstanding the existing boundary treatments, the proposed conservatory would be prominent and easily seen from the public realm. The presence of such an incongruous feature in views of the building would be harmful to the street-scene.
5. On this basis, the proposal falls contrary to Policies ST5 and ST6 of the South Somerset Local Plan (LP) that seek to ensure development proposals respect the form, character and setting of the locality.
6. The Council has raised concerns about the impact of the conservatory on the setting of 'Dobbins' a Grade II listed building that sits to the south of the appeal site. However, 'Dobbins' and Laburnum Farm are separate dwellings, on opposite sides of a road. Given the degree of separation involved, the proposal would have no impact on the setting of 'Dobbins'. On that basis, LP Policy EH5 that sets out to protect the setting of listed buildings is not engaged.

7. I recognise that the form of the proposed conservatory is broadly similar to that of the enclosure to the swimming pool serving 'Dobbins'. However, there is little explanation of the circumstances under which that enclosure was erected and in that context I have dealt with the proposal before me on its own merits.
8. For the reasons given above I conclude that the appeal should be dismissed.

*Paul Griffiths*

**INSPECTOR**