



Appeal Decision

Site visit made on 14 May 2010

by **Nigel Harrison BA (Hons) MRTPI**

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

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Decision date:
20 May 2010

Appeal Ref: APP/R3325/D/10/2126631

Marsh Way, Howley, Chard, Somerset, TA20 3DX

- 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 Norman Shire against the decision of South Somerset District Council.
 - The application Ref: 10/00736/FUL dated 12 February 2010, was refused by notice dated 23 March 2010.
 - The development proposed is the erection of a new conservatory.
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Decision

1. I allow the appeal, and grant planning permission for the erection of a new conservatory at Marsh Way, Howley, Chard, Somerset, TA20 3DX in accordance with the terms of the application Ref: 10/00736/FUL dated 12 February 2010, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Plan 1 (proposed floor plan and front elevation); Plan 2 (proposed side elevations); Plan 3 (existing front and back elevations); Plan 4 (existing side elevations); Plan 5); existing floor plans. Received by the Council on 15 February 2010.

Main Issue

2. I consider the one main issue in this case is the effect of the proposal on the host dwelling and the street scene in the locality.

Reasons

3. The proposal is for a upvc conservatory on the main (south) elevation. It would be positioned in a recessed area between a forwards extension of the bungalow and an existing greenhouse. Consequently, although measuring 4m wide by 3m deep, it would project only about 0.9 m forward of the extension and would be about 10m from the highway edge.
 4. The character and appearance of the street scene locally owes much to the informal groupings of dwellings. The area around the crossroads has a very open feel due to the front and side gardens of the appeal property, the large garden of the dwelling opposite, and open countryside to the east. Other than being predominantly rural, to my mind this part of Howley has no strong
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prevailing character in terms of dwelling styles and materials, or especially local distinctiveness.

5. The Council says the conservatory would appear incongruous and dominant within the street scene, and would detract from the visual amenities of the area. However, due its recessed position and 10m set back from the road, I am satisfied it would both complement the dwelling and not appear out of keeping. Nor do I consider it would harm the current feeling of openness and spaciousness around the junction. Although it would be readily visible from public vantage points, I do not consider this factor in itself to be a cause for concern. Indeed, the glass roofed veranda which previously occupied much of the site would have been equally visible.
6. The Council has raised objections to the design, but has not expanded upon its specific concerns in this regard. Whilst encouraging good design, Planning Policy Statement 1: *Delivering Sustainable Development* (PPS1) says planning authorities should not attempt to impose architectural styles or tastes, or be unnecessarily prescriptive.
7. My overall judgement on this issue is that the proposal would not harm the character and appearance of the host dwelling and the street scene in the locality. As such, I find no conflict with Policies ST5 and ST6 of the South Somerset Local Plan (LP).
8. The site lies within an area of outstanding natural beauty (AONB). However, I am satisfied the proposal would be compatible with aims of conserving the natural beauty of the AONB, as expressed through national and local guidance and policy, and would not harm its landscape character. As such, I find no conflict with Policy 3 of the Somerset and Exmoor National Park Joint Structure Plan Review (SP), and LP Policy EC2.
9. I have considered the conditions put forward by the Council in the light of the advice in Circular 11/95. In addition to the standard time period for commencement of the development, a condition is required to secure compliance with the submitted plans, for the avoidance of doubt and in the interests of proper planning.
10. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Nigel Harrison

INSPECTOR