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## Appeal Decision

Site visit made on 6 August 2012

**by Neil Pope BA(HONS) MRTPI**

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

Decision date: 10 August 2012

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**Appeal Ref: APP/R3325/D/12/2177372**

**18 The Beacon, Ilminster, Somerset, TA19 9AH.**

- 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 Mrs Rebecca Beggs against the decision of South Somerset District Council.
  - The application Ref. 12/00197/FUL was refused by notice dated 12 March 2012.
  - The development proposed is extensions and alterations.
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### Decision

1. The appeal is allowed and planning permission is granted for extensions and alterations at 18 The Beacon, Ilminster, Somerset, TA19 9AH. The permission is granted in accordance with the terms of the application, Ref. 12/00197/FUL, dated 12 January 2012, and 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 shall be undertaken in accordance with the details shown on drawing Nos. 3576-04E, 3576 -05D, 3576-06B, 3576-08C, 3576-09C, 3576-10A, 3576-11A, 3576-12 and 3576-13.

### Reasons

2. The appellant's bungalow forms part of a row of mainly two storey houses. There is much variation in the size, height and design of these dwellings. Whilst this part of the town is not unattractive, my attention has not been drawn to any special or distinctive qualities of the local environment.
3. The proposed first floor extension would considerably increase the mass and height of the host dwelling. However, there would be variation in the roofline of the enlarged dwelling and the inclusion of bay windows and a hipped roof on the front (west) elevation along with smaller windows on the side (northern) elevation would assist in breaking up the overall mass of the extension.
4. The extended building would be no taller than No.20 alongside and would not be out of scale with neighbouring dwellings or be unduly large. It would not intrude into or disrupt any important public views. Rather than unbalancing the appearance of the host dwelling the scheme would add interest to an otherwise bland and quite unremarkable bungalow.
5. Replacing the timber shingle roof and white UPVc windows with natural slates and timber framed windows would enhance the appearance of the host

building. I concur with the appellant's Architect that the proposal would enhance the composition of the street scene.

6. The development would be designed to a high standard and would respect the form, character and setting of the locality. It would accord with national<sup>1</sup> and local<sup>2</sup> planning policies that are aimed at promoting good design. There is nothing before me to demonstrate any conflict with the Council's design guide. The proposal would enhance the character and appearance of the area.
7. The extension would alter the outlook from the facing window in No.20, as well as part of the rear garden of this neighbouring house. However, this would be set back an adequate distance so as to avoid any serious loss of light or overbearing impact. The proposed first floor window would be fitted with obscure glazing to avoid any harmful overlooking. The impact upon property values would not be a sound basis for withholding permission. The scheme would not unacceptably harm the amenity of neighbouring residents.
8. For the avoidance of doubt and in the interests of proper planning it would be necessary to attach a condition identifying the approved plans. As these plans specify the materials to be used it would be unnecessary to attach a separate condition regarding the use of materials.
9. Given all of the above, I conclude that the appeal should succeed.

*Neil Pope*

Inspector

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<sup>1</sup> National Planning Policy Framework

<sup>2</sup> Policies ST5 and ST6 of the adopted South Somerset Local Plan and policy STR1 of the Somerset and Exmoor National Park Joint Structure Plan Review



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## Appeal Decision

Site visit made on 29 August 2012

by **Christopher Gethin MA MTCP MRTPI**

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

Decision date: 4 September 2012

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### Appeal Ref: APP/R3325/D/12/2178525

### Lilac Cottage, Tolley's Lane, Lydmarsch, Chard, Somerset TA20 4AA

- 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 A Marsden against the decision of South Somerset District Council.
  - The application ref. 12/00515/FUL was refused by notice dated 12 April 2012.
  - The development proposed is a detached garage/store.
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### Decision

- 1 The appeal is dismissed.

### Main Issue

- 2 The principal issue is the effect of the proposed development on the character and appearance of the area.

### Reasons

- 3 The appeal site comprises part of the curtilage of a dwelling located in the countryside. The 1½-storey dwelling lies at the eastern end of the 0.39ha curtilage, with a double garage adjoining it. The proposal is for a large barn-type building to house the appellant's collection of classic cars, as well as a campervan, a tractor and tools for grounds maintenance.
- 4 The building would measure about 15.4m by 9.5m and would have a pitched roof about 5.5m high. It would be located in the southwest corner of the curtilage, with a compacted stone track connecting it to the existing driveway.
- 5 I saw at my site visit that the site lies in a secluded valley, with numerous trees and hedgerows bordering the fields. The property is located at the end of a narrow lane which becomes a bridleway. However, notwithstanding the tall hedges which the proposed building would be set against, it would be visible from the lanes and bridleways in the locality, and would appear as a substantial isolated structure unrelated to the dwelling. As a domestic outbuilding, its location within a domestic curtilage, adjoining the boundary with another dwelling, would make its agricultural appearance seem contrived and incongruous. With its ridge only 0.2m lower than that of Lilac Cottage, its bulk would compete with the dwelling, and it would fail to appear subservient.
- 6 I saw that at the top of Tolley's lane, near its junction with the A30, there are some large commercial buildings which abut the lane, but I consider that these

do not provide a precedent for the proposed building or justify its intrusion into the landscape.

- 7 I conclude that the proposed development would harm the character and appearance of the area, contrary to policies ST5, ST6 and EC3 of the 2007 South Somerset Local Plan, and the core principle of the 2012 National Planning Policy Framework, which states that planning should seek to secure high quality design.

**Conclusion**

- 8 The harm I have identified outweighs the benefits which would arise from the proposal in terms of providing secure storage for the appellant's collection of classic cars and removing them from view. For the reasons given above, and having regard to all other matters raised, I conclude on balance that the appeal should not succeed.

*Christopher Gethin*

INSPECTOR