
Appeal Decision

Site visit made on 6 January 2015

by J J Evans BA (Hons) MA MRTPI

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

Decision date: 27 January 2015

Appeal Ref: APP/R3325/A/14/2227633

Land adj 108 Furnham Road, Chard, Somerset TA20 1BE

- 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 V Finn against the decision of South Somerset District Council.
 - The application Ref 14/02673/FUL, dated 10 June 2014, was refused by notice dated 25 July 2014.
 - The development proposed is the resubmission of a withdrawn planning application number 14/00628/FUL for a detached dwellinghouse and associated parking (amended design).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are *firstly*, the effect of the proposed house on the character and appearance of the surrounding area; *secondly*, whether acceptable living conditions are provided for the occupiers of 108 Furnham Road and the future occupiers of the proposed house, with particular regard to the provision of amenity space; and *thirdly*, the effect of the proposed access arrangement on highway safety.

Reasons

Character and Appearance

3. The appeal site comprises part of the garden of 108 Furnham Road. This end of terraced house is positioned on the corner formed by the junction of Furnham Road with Chaffcombe Road. The triangular shaped garden provides parking and turning space, with two detached outbuildings located at its north-eastern end. Beyond these buildings is a large field of grassland.
4. There are a mix of ages and styles of residential properties in the area. In addition to the terraced houses near the junction, there are semi-detached houses along Chaffcombe Road and a number of detached bungalows. Despite this diversity, the properties around the appeal site form a cohesive and varied group where no one property dominates.
5. The land slopes away to the east, with the houses along Furnham Road and the garden of No 108 being raised above the surrounding area. Due to its position, the proposed house would be clearly seen. Unlike the other detached dwellings

nearby it would not be set within a spacious plot. Whilst the proposed house would have a modest footprint, it would nevertheless occupy a large part of the site, with much of the remaining area forming parking and turning provision. The essentially triangular shape of the site would significantly constrain the proposed dwelling, making it appear cramped and hemmed in by a mix of fences and walls. This, combined with the elevated nature of the proposed house would make it an incongruous and intrusive building within the area.

6. I appreciate the proposed house would have a road frontage. However, many of the nearby detached bungalows are either set back behind spacious gardens or, like the terraced houses, abut the pavement and highway. Furthermore, the provision of low walls very close to the proposed dwelling along the highway would exaggerate the cramped and constrained nature of the site.
7. The appellants have referred to the support of the Town Council for the scheme, and that it would be an efficient use of land, providing a new house in a sustainable location. Whilst these are positive aspects of the proposal, their benefits would be modest, and would not outweigh the harm I have found.
8. The proposed dwelling would respond to the constraints of the site rather than the character and appearance of the surrounding area. As such it would not be the high quality development that respects local character and distinctiveness as required by the National Planning Policy Framework (the Framework). Moreover it would not accord with the requirements of Policies ST5 and ST6 of the South Somerset Local Plan (2006) (LP) that seek, amongst other things, development that complements the key characteristics of a location.

Living Conditions

9. The proposed house would be surrounded on two sides by parking and turning areas serving a number of dwellings, including those along Furnham Road. A total of four parking spaces for No 108 and the proposed dwelling would be provided on site, along with a shared turning area and access. As such neither No 108 nor the proposed dwelling would have much private garden space.
10. The appellants have referred to the proximity of the site to the countryside and public recreation areas which would be available for the future occupiers of the house and those of No 108 to use. Be that as it may, the proposed dwelling could provide accommodation for a small family. The narrow strips of garden around it would need to accommodate domestic paraphernalia, such as bins. Although the largest area of garden would be to the rear of the site, it would be constrained by boundary walls and fences, and would be oppressively restricted and enclosed.
11. I have considered that additional garden space could be provided by adjusting the parking provision for No 108. However, this would only provide a small amount of additional space for this property and would not address the adequacy of provision for the proposed dwelling. Whilst I accept that other properties in the area abut the pavement and have small gardens, in this instance three sides of the proposed dwelling would be bounded by the road, the shared site access and turning provision, and the parking courtyard serving the site and the houses along Furnham Road. Future occupiers of the proposed dwelling would experience frequent disturbance at close proximity.

12. The appellants accept that the amenity space for the proposed house is small, but considers it is a matter of choice for the developer or future occupiers. I acknowledge the Council has no specification for garden sizes. However, one of the requirements of LP Policy ST6 is not to unacceptably harm the residential amenity of occupiers of adjacent properties, and the Council uses this policy to include future occupiers. Notwithstanding this, the proposed dwelling would not provide an acceptable level of garden space for either the occupiers of No 108 or those of the proposed house. As such it would fail to accord with the planning principle of the Framework that seeks a good standard of amenity for all existing and future occupiers of land and buildings.

Highway Safety

13. The existing access has restricted visibility when leaving the property. Although the appeal proposal would provide some improvement to visibility in both directions, it would still be restricted by the presence of No 108. Chaffcombe Road slopes downhill towards the north east, with a telegraph pole at the corner of the site. In the absence of any site levels, it is not clear from the information provided as to what level the boundary wall along the road would be, and therefore whether it would hamper visibility.
14. I appreciate the site is within a 30 mph speed restriction, and that there are double yellow lines along the road that has a slight bend in it. Nevertheless, there are no pavements to Chaffcombe Road, and the visibility splays to the access would still be restricted even with the proposed improvements. Moreover the access would serve two dwellings which would intensify its use. Notwithstanding the improved access arrangements, the proposal would pose an unacceptable risk to all users of the highway.
15. I therefore find that the proposal would not have an acceptable access. This would be contrary to the requirements of LP Policy ST5 that seeks, amongst other things, and like an objective of the Framework, satisfactory access provision.

Conclusion

16. For the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR