
Appeal Decision

Site visit made on 5 October 2015

by Gareth W Thomas BSc(Hons) MSc(Dist) PgDip MRTPI

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

Decision date: 29 October 2015

Appeal Ref: APP/R3325/D/15/3100553

Leigh Lodge, Cow Down Road, Winsham, Chard TA20 4HW

- 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 Mills against the decision of South Somerset District Council.
 - The application Ref 15/01917/FUL, dated 28 April 2015, was refused by notice dated 15 June 2015.
 - The development is described as '*Proposed demolition of existing conservatory and erection of two storey extension*'.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The appellants initially gave notice that they would seek an award of costs against the Council but that further details would be presented. However no further details were submitted within the date specified by the Planning Inspectorate. Accordingly, this appeal proceeds on the basis that an application for the award of costs has not been duly made.

Main Issues

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the host dwelling and area.

Reasons

4. The appeal site is located on a prominent hillside some 2km west of the village of Winsham. The property backs on to one of the former principal (west) entrances to Leigh House, a Grade II* Listed Building. The appeal property itself is served by a separate access further up the hill along Cow Down Road. The garden boundary fronting Cow Down Road is defined by a stone wall of recent construction that meets an existing altogether older red facing brick wall and gated pillars that once formed the western entrance to Leigh House.
5. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the *Act*) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its

setting, to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest. Having my attention drawn to the presence of the listed building, I am required to consider whether the appeal proposal might also affect the setting of this listed building and I deal with this matter first.

6. Leigh House is set in its own grounds just under 0.5 km to the north-east of the appeal site. However no evidence is provided by either party that there are concerns relating to the likely extent of impact arising from the proposed development upon the setting of the listed building. From my site visit, I noted that Leigh House is now accessed from Whatley Lane further to the east; the former west access drive now serves other development primarily. The intervening area between Leigh House and the appeal site contains a small number of recently built houses and modern agricultural buildings. An extensive area of deciduous woodland also reduces any sense of physical relationship that might once have existed between the lodge and the listed house. I am satisfied, given that the location of Leigh Lodge is sufficiently distant from Leigh House, that the matter of potential impact upon the setting of the listed building does not arise.
7. Moreover, the Council did not raise this particular matter in its decision. It did however, refer to the special character that the appeal property itself possesses but did not explain what that special character entailed. No evidence of a historic or architectural nature has been presented. From my observations, the property occupies a prominent hillside location and, from public viewpoints, is seen in relative isolation in this rolling landscape. Its special character is derived from its symmetrical plan form, attractive and varied steeply pitched roof lines, highly detailed chimney stacks and decorative bargeboards, with walls constructed of knapped flint, which is characteristic of the area, natural stone and decorative clay tiles.
8. The proposal would introduce a two storey extension to the rear, replacing a modern single storey conservatory. The extension would incorporate similar design features including a steeply pitched roof, a relatively narrow gable, traditional bay window and matching window styles. The proposed materials include the use of knapped flint stone, natural stone quoins and window surrounds and natural decorative clay tiles.
9. The Council believes that the proposal is overly large and would dominate the lodge building and be significantly detrimental to the special character that it possesses. Although it has no objection to the principle of a two storey extension, having recently granted planning permission for a smaller extension, the Council believes that the appeal proposal will no longer appear as a subservient element to the lodge building but rather will appear as an elongated feature out of keeping with the architectural character of the appeal property.
10. Despite careful attention to the use of local materials and other positive elements of its design, the proposal would result in an almost doubling of the width of the existing property and its size and massing would appear as an incongruous addition to the property. Although I accept that the rear of the property is partially screened from Cow Down Road by the presence of the garage structure located behind the roadside wall and existing vegetation,

nevertheless as I have explained, Leigh House occupies a prominent position in the landscape and glimpses of the rear of the property is available from the road as it drops down the hill. Moreover its architectural style also makes a very positive contribution to the character and appearance of the area. Despite the slight lowering of the ridge line so that it sits below the existing main ridge of the house, the extension would represent a dominating feature that would materially harm the character of the host property and in turn the character and appearance of the area.

11. Thus, the proposal would be in substantial conflict with South Somerset Local Plan Policy EQ2, which amongst other things requires extensions to reinforce local distinctiveness and respect local context, thereby helping in turn to preserve and enhance the character and appearance of the District. The proposal would also fail to comply with the requirements for good design as set out in the National Planning Policy Framework

Conclusions

12. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Gareth W Thomas

INSPECTOR