



Appeal Decision

Site visit made on 29 May 2018

by Colin Cresswell BSc (Hons) MA MBA MRTPI

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

Decision date: 06 June 2018

Appeal Ref: APP/R3325/W/17/3187975

Sunnyside, Pottery Road, Horton, Ilminster, Somerset TA19 9QW

- 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 and Mrs Mike Baker against the decision of South Somerset District Council.
 - The application Ref 17/02636/FUL, dated 7 June 2017, was refused by notice dated 16 August 2017.
 - The development proposed is 'erection of 2 No dwellings comprising 1 No two storey private residential dwelling and 1 No single storey dwelling to be used for holiday accommodation'.
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Decision

1. The appeal is allowed and planning permission is granted for 'erection of 2 No dwellings comprising 1 No two storey private residential dwelling and 1 No single storey dwelling to be used for holiday accommodation' at Sunnyside, Pottery Road, Horton, Ilminster, Somerset TA19 9QW in accordance with the terms of the application, Ref 17/02636/FUL, dated 7 June 2017, subject to the Schedule of conditions set out at the end of this decision.

Main Issue

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

Reasons

3. Pottery Road extends out of the village centre towards the open countryside. It is mainly characterised by detached properties on either side of the road, most of which have large gardens or open areas to the rear. Although the pattern of development along Pottery Road is not entirely consistent, many of these dwellings back on to open countryside (particularly towards the southern end of the street) with no other properties behind them. This results in a linear form of development, characterised by low densities and an open and leafy appearance, consistent with the edge of village location.
4. Sunnyside is detached house within a row of other detached properties in Pottery Road. The area behind the house is much larger than the rear gardens of most of its neighbours. It contains various outbuildings, including a sizeable barn, as well as areas of open garden. Trees and a mature hedgerow separate the site from the agricultural land situated immediately to the east.

5. It is proposed to construct two detached dwellings to the rear of the existing house. Plot 1 would contain a relatively substantial two storey dwelling which would be situated in the northern part of the garden. Plot 2 would contain a single storey dwelling to be used as holiday accommodation. While the Council raises no objection to the principle of new housing development in the village, concern has been expressed at the effect of this particular proposal on the character and appearance of the area.
6. As the proposed dwellings would be situated well behind existing housing in Pottery Road, they would be mainly screened from public vantage points within the street. The access drive would not be a very conspicuous feature and would be in keeping with the residential character of Pottery Road, which has a number of existing driveways along its length. Hence, the development would have very little effect on the street scene.
7. The dwellings would be more visible from the rear of surrounding properties. This includes the housing in Langworthy Orchard to the north, which is separated from Sunnyside by open agricultural land. When seen from this perspective, the proposed single storey dwelling would remain relatively inconspicuous due to its low height and the intervening trees. The larger, two storey dwelling would clearly be more prominent. Nonetheless, it would also benefit from a degree of screening from trees and would be viewed alongside Longacre, which protrudes further to the east than the established line of development within Pottery Road. Both proposed dwellings would be contained within the existing hedgerow boundaries of Sunnyside and so would remain visually separated from the nearby agricultural land.
8. The proposed dwellings would also be seen from the rear of neighbouring housing in Pottery Road. However, the principal outlook from the windows and gardens of these properties is towards the open agricultural land directly to the east and not towards the new dwellings. Furthermore, the density of development within the site would remain low and the trees and vegetation would maintain the leafy characteristics of the area.
9. It therefore seems to me that the proposal would not harm the character or appearance of the area, even though it would deviate from the linear pattern of development along this part of Pottery Road. My decision is based on the individual circumstances of this case (including the visual relationship between the site and Longacre to the east) and does not necessarily establish a precedent. Differing site circumstances and the potential for cumulative harm would represent matters to be considered if similar proposals were to be advanced elsewhere within Pottery Road in the future.

Conclusion

10. I conclude that the proposal would have an acceptable effect on the character and appearance of the area. There would be no conflict with Policy EQ2 of the South Somerset Local Plan 2015 which seeks to reinforce local distinctiveness and protect landscape character. For the above reasons, and having regard to all other matters raised, the appeal should therefore be allowed.
11. In the interests of clarity, standard conditions requiring the development to be carried out in accordance with the plans and within a time limit have been imposed. To help protect the character and appearance of the area, I have

also imposed the conditions suggested by the Council requiring further details of materials, hardstanding and tree protection.

Colin Cresswell

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 1703.01, 1703.02, 1703.03, 1703.04, 1703.05, 1703.06, 1703.07, 703.08, 1703.09, 1703.10, 1703.11, 1703.14, 1703.15, 1703.16, 1703.17, 1703.18, 1703.19, 1703.20A.
- 3) No development hereby approved shall be carried out until particulars of following have been submitted to and approved in writing by the Local Planning Authority; a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs; b) details of all hardstanding and boundaries (including the access over the first 5m); Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.
- 4) Prior to the commencement of any works on site, including the bringing of any equipment, machinery or materials onto the site for the purposes of the development details of tree and hedge protection measures for all hedges, hedgerows and trees immediately adjoining the development site, shall be submitted to and approved by the Local Planning Authority. There shall be no alteration to ground levels nor shall any excavation be made, without the written consent of the Local Planning Authority. The approved measures shall remain for the duration of the development and until all equipment; machinery and surplus materials have been removed from the site.