



Appeal Decision

Site visit made on 11 October 2022

by **J White BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 November 2022

Appeal Ref: APP/R3325/D/22/3301946

43 Poplar Drive, Yeovil BA21 3UL

- 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 Josh Stagg against the decision of South Somerset District Council.
 - The application Ref 22/00160/HOU, dated 18 January 2022, was refused by notice dated 4 April 2022.
 - The development proposed is "proposed new double garage to front of property".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Whilst two applicants are shown on the planning application, the appeal has been made in Mr Josh Stagg's name and it proceeds on that basis.
3. During my site visit I observed that an extension has been provided to the front of the property, situated between the two forward facing gables. This extension is not shown on the plans submitted with the application upon which the Council dealt with the proposed development. Since this extension is not shown on the plans, I cannot be convinced that the proposed garage would not conflict with the extension. In any case, as the appeal is dismissed, this matter is of no consequence, and I have considered the proposal presented upon the plans that are the subject of the appeal.

Main Issues

4. The main issues are the effect of the proposed development upon (i) the character and appearance of the existing building and the surrounding area; and (ii) the living conditions of the occupiers of Thorne Gardens and of the host property, with particular regard to outlook.

Reasons

Character and appearance

5. The appeal site is a two-storey detached dwelling positioned within a predominantly residential area. The property has vehicular access from the street, with a driveway in front of an integral garage. The site and its immediate neighbours within the housing estate have open frontages with a lawn area adjacent to a driveway. A public pathway lies to one side and separates the appeal site from the residential development at Thorne Gardens.

6. The proposed garage would sit forward of the principal elevation, adjacent to the existing driveway and over part of the lawn, which has a gentle slope across it. Despite the use of sympathetic materials and a hip roof design, the proposal would appear contrived and dominant due to its scale and position forward of and very close to the principal elevation of the house, particularly when viewed from the street or from the adjacent pathway. Furthermore, the proposal would interfere with the legibility of the dwelling, jar with its presentation within the street scene and appear at odds with the character of the open frontages, causing harm to the character and appearance of the property and the surrounding area.
7. My attention has been brought to cases where garages have been built in positions forward of the principal elevation of a dwelling house. I have not had full details of these cases put before me, including the addresses of such properties. However, I did observe some examples, including that to the north of the site at the end of Poplar Drive. From my observations such designs were complementary in terms of form, design and layout relevant to host buildings, and are set further away from or oblique to the principal elevation of buildings. In any case, I have determined this appeal on its merits based on the evidence provided in the submissions.
8. Accordingly, I conclude that the proposed development would harm the character and appearance of the existing building and the surrounding area. As such, regarding this issue, the proposal would fail the requirements of Policy EQ2 of the South Somerset Local Plan (the LP), which amongst other things seeks to ensure development is designed to achieve a high quality and respects local context. There would also be conflict with Paragraph 130 of the National Planning Policy Framework (the Framework) which, amongst other things, requires the decision maker to ensure that proposals will add to the overall quality of an area and are sympathetic to local character.

Living conditions

9. Paragraph 130 of the Framework also seeks schemes to create places that promote health and well-being, with a high standard of amenity for existing and future users.
10. The appeal property lies at the end of a row of detached houses. Residential development at Thorne Gardens lies to the east. Those properties, whilst occupying a slightly lower ground level, are set a reasonable distance away and on the opposite side of a public pathway, which has grass verges either side. The properties at Thorne Gardens also have enclosed boundaries to the pathway.
11. Given the distance between the appeal site and the neighbours at Thorne Gardens, the nature of intervening boundary treatments and having regard to the design and height of the proposed garage, I am satisfied that the proposal would not cause unacceptable harm to the outlook of the residential neighbours.
12. Notwithstanding that, as already acknowledged, the garage would lie close to the host dwelling and forward of windows on its principal elevation. Due to its proximity and its scale, the garage would significantly obscure the outlook from the ground floor windows with the likely consequence of harm to living

conditions of the occupiers of the host dwelling, with particular regard to outlook.

13. Whilst the appellant may be prepared to live with the harm, planning is concerned with land use in the public interest. The proposal would be a permanent building and it would have a harmful impact in perpetuity. I have already acknowledged that examples of garages forward of principal elevations have been drawn to my attention. However, these appear to be generally set further from or at an angle to the elevation, such that they would be unlikely to cause the same level of impact on living conditions as that proposed. Furthermore, as also referenced above, I have determined this appeal on its merits based on the evidence provided in the submissions.
14. Consequently, on this issue, although the proposed development would not unacceptably harm the living conditions of the occupiers of Thorne Gardens, there would be harm to the living conditions of the occupiers of the host property, with particular regard to outlook. As such, in respect of this issue, the proposal would not comply with Policy EQ2 of the LP, which amongst other things requires that development be designed to achieve a high quality, nor would it comply with Paragraph 130 of the Framework.

Other Matters

15. I acknowledge that the appellant requires a garage to accommodate the needs of a growing family and that the proposal could provide some additional off road vehicle parking. However, these matters do not outweigh my overriding concerns outlined above.

Conclusion

16. The proposal would conflict with the development plan as a whole and there are no material considerations, including the provisions of the Framework, which outweigh this finding. As such, for the reasons given above, I conclude that the appeal should be dismissed.

J White

INSPECTOR