
Appeal Decision

Site visit made on 20 September 2016

by H Porter BA(Hons) PGDip IHBC

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

Decision date: 3 October 2016

Appeal Ref: APP/U3935/W/16/3153749

31 Newport Street, Old Town, Swindon SN1 3DP

- 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 M Reade against the decision of Swindon Borough Council.
 - The application Ref S/16/0092/CHHO, dated 18 January 2016, was refused by notice dated 22 March 2016.
 - The development proposed is described as 'erection of two storey office building with parking at ground level (as previously approved scheme S/05/1335CA)'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the Devizes Road Conservation Area.

Reasons

3. The significance of the Devizes Road Conservation Area (the Conservation Area) relates, in part, to the 19th century residential dwellings that front Devizes Road, as well as to the cluster of historic buildings that round the corner with Newport Street. The Conservation Area Appraisal¹ identifies the historic layout and street pattern, as well as the architectural and historic interest of its buildings, as contributing factors that justify the Conservation Area's designation. The section of Newport Street inside the Conservation Area is characterised by a mix of historic buildings, directly addressing the pavement edge, which creates a strong urban frontage.
4. The appeal premises is one of a pair of two-storey buildings, notable for their modest scale and a large central chimney stack, which adds to the backcloth of historic dwellings that characterises the Newport Street frontage. The absence of any significant development to the rear of the appeal site emphasises the historic layout and ancillary nature of the plots behind the primary Newport Street frontage. A route through No 31 gives access to a courtyard space occupied by a single-storey car-port. This has a tangible backland character, clearly subsidiary to the main frontage, which makes a positive contribution to the character and appearance of the Conservation Area as a whole.

¹ Devizes Road Conservation Area Appraisal and Management Plan, April 2008

5. The appeal proposal would replace the existing single-storey structure with a two-storey building for use as offices. The submitted plans do not include elevations or sections of No 31 by which to compare the eventual height of the two front elevations. However, based on the evidence before me and my observations, at just over 7 metres high, the appeal proposal would not be sufficiently lower than the Newport Street building to delineate it as a subservient structure. While the footprint of the proposed offices would be slightly less than existing, the increased storey height and overall form would introduce a bulky and dominant structure within the small courtyard space. As a result, the proposed development would harmfully alter the ancillary, backland character of the appeal site.
6. The impact of the proposal would be particularly noticeable in views into the Conservation Area from Newport Street, as well as along Station Approach. To some degree, the flank wall would be partially hidden by the commercial hoardings on the plot to the side of No 30; if the hoardings were removed it would further expose the appeal building. In spite of the proposed use of sympathetic materials and the existence of taller buildings in the locality, the scale and unrelenting brick treatment proposed for the side elevation would dominate the view to the site from the Newport Street/Station Approach corner. This would further detract from the primary street frontage and the mix of historic buildings, causing harm to the character and appearance of the Devizes Road Conservation Area.
7. When considered in the context of the Devizes Road Conservation Area as a whole, the degree of harm to its character and appearance would be less than substantial. I recognise there would be some benefits in providing office accommodation in a sustainable location, as well as further economic benefit of employment during construction. However, having found harm to the heritage asset, I must give that harm considerable importance and weight. In balancing the harm against the wider public benefits, therefore, the harm is not outweighed.
8. I conclude therefore that the proposed development would fail to preserve or enhance the character or appearance of the Devizes Road Conservation Area and would fail to accord with Policies DE1 and EN10 of the Swindon Borough Local Plan 2026, March 2015 (the Local Plan), which seek to ensure development is of a high standard of design and the Borough's historic environment is sustained and enhanced. In reaching my conclusions I have also taken into account the Backland and Infill Development Supplementary Planning Document, Adopted June 2007 and the Devizes Road Conservation Area Appraisal and Management Plan, April 2008. Moreover, the appeal scheme would be contrary to the principles of the National Planning Policy Framework, 2012 (the NPPF), insofar as they seek to ensure high quality design that takes account of the different roles and character of different areas, and that great weight is given to the conservation of a designated heritage asset.

Other Matters

9. The appellant has drawn my attention to a similar development to that currently proposed that was approved in 2005. However, since that decision was made there have been significant changes in local and national planning policy, including the adoption of the Local Plan and the NPPF. I have therefore

assessed the appeal proposal under the most up-to-date policy context, in accordance with the development plan, and on the specific merits of the proposal before me. While the NPPF advocates the re-use of previously developed land, this does not override the weight given to the conservation of a designated heritage asset.

Conclusion

10. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

H Porter

INSPECTOR