
Appeal Decision

Site visit made on 4 January 2017

by Jonathan Tudor BA (Hons), Solicitor (non-practising)

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

Decision date: 01 February 2017

Appeal Ref: APP/Y3940/D/16/3159601

6 Locks Lane, Purton, Swindon, Wiltshire SN5 4HD

- 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 Dr R Amey against the decision of Wiltshire Council.
 - The application Ref 16/06839/FUL, dated 13 July 2016, was refused by notice dated 7 September 2016.
 - The development proposed is a triple garage.
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Decision

1. The appeal is allowed and planning permission is granted for a triple garage at 6 Locks Lane, Purton, Swindon, Wiltshire SN5 4HD, in accordance with the terms of planning application, Ref 16/06839/FUL, dated 13 July 2016, subject to the attached schedule of conditions.

Procedural Matters

2. The description of the development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of the development has not changed but, nevertheless, a different wording has been entered, which appears to have been taken from the Council's decision notice. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given in the original application.
3. It was apparent on my site visit that the initial stage of construction had commenced with foundations and blocks for the walls in place, though this does not appear to have progressed any further than when the Council Officer visited in connection with the original application.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the existing building and the area.

Reasons

5. The appeal site is located to the side of a country lane on the outskirts of the village of Purton. The residential dwelling at 6 Locks Lane is part of a short terrace or block of houses, with another terrace to the east and a detached house and double garage at the end of the lane. A public right of way also runs along Locks Lane.

6. The proposal is for a detached triple garage with office/store above. It would stand on a parking area immediately to the west of No 6, facing the road between the dwelling and a garden shed. The main house is a fairly substantial two-storey property, with the expanse of its side elevation and pitched roof, gable and chimney prominent looking east along the lane.
7. Whilst the garage would be sizeable, it would respect the current front building line and would not be as wide or high as the existing dwelling. Its 6 metre depth would be similar to the depth of the western elevation of the dwelling, which it would partially obscure, but that stark side wall has no particular merit in itself. The proposed pitched roof design would reflect the pitched roofs of the existing terraces, though at a lower level, whilst a window would provide a feature on the western gable end of the garage.
8. The garage would also be a detached building rather than an extension, albeit in close proximity to the dwelling. The appellant advises that the render and roof tiles would match those of the existing building, a matter that can be secured by condition. Therefore overall, the proposal would be sufficiently subordinate to the existing dwelling and its design would not cause material harm to the character and appearance of that building.
9. It is reasonable to assume that the narrow lane is mainly used by residents to access their properties but the garage would also be seen by users of the public footpath on the same route. Travelling east, this part of the Locks Lane has mature hedges and vegetation on both sides, until the residential properties are reached when the hedge continues on one side. The relevant section of the lane is, therefore, largely enclosed and discrete from the surrounding countryside. There is also a hedge and mature vegetation to the rear of the garden at the site. Therefore, it does not have a sense of openness and views from beyond the lane itself would be limited.
10. The houses only become visible proceeding eastwards after a bend in the lane. Looking from that position the dwellings present visually as almost one long terrace with a hedge opposite terminating at a large double garage facing front-on at the end of the lane. Similar detached garages are a common feature of the area. The closeness of the proposed garage to No 6 would mean that it would be read as simply another building in the terrace elongating it, with its pitched roof sloping away from the lane. The lengthening of the built form would be mitigated visually by the effect of perspective. Looking west along the lane, the garage would be partially obscured by the existing built form of the main dwellings.
11. It is also relevant that the garage would replace the existing car parking area, providing facilities for three cars to be parked out of sight. Though it is often said that garages are used to store items other than cars, given the constraints of the narrow lane, I see no reason to suppose that the triple garage would not be used for its intended purpose. Alternative storage space is also incorporated into the design on the upper floor. Therefore, the garage would remove the adverse visual impact of cars currently parked in the area to the side of the lane.
12. Whilst the Parish Council suggested a condition to ensure that the garage was used as ancillary to the dwelling, it expressed general support for the proposal subject to clarification of some details. Occupiers of a number of neighbouring

properties along Locks Lane have also expressed support whilst no objections were received.

13. Taking all the above factors into account, I do not consider that the proposed development would cause material harm to the character and appearance of the existing building or the area. It follows, therefore, that it would not be contrary to Core Policy 57 of the Wiltshire Core Strategy (CS),¹ which amongst other things aims to ensure that development relates positively to its landscape setting, respects existing patterns of development and takes account of the characteristics of the site and the wider character of the area.
14. Furthermore, for the reasons given, I do not find that the proposal conflicts with Paragraphs 17, 56, 57 or 64 of the National Planning Policy Framework, or Core Policy 51 of the CS, in respect of protecting the countryside, its landscape and requiring good design. Though Core Policy 51 is mentioned in the Council Officer's report, it is not referred to in the Council's decision notice.

Conditions

15. I have considered the various planning conditions suggested by the Council, amending them if necessary. A condition setting a time limit for the commencement of the development is a statutory requirement. For the avoidance of doubt and in the interests of proper planning, a condition requiring the development to be carried out in accordance with the approved plans is appropriate.
16. A condition regarding materials is necessary to protect the character and appearance of the area. I have altered the Council's suggested condition to a more standard form which requires details of the proposed materials to be submitted for approval prior to any further construction. Conditions are also included to ensure that the garage remains for use ancillary to the main dwelling in the interests of the character of the area and highway safety as the location is considered inappropriate for a separate dwelling.

Conclusion

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

Jonathan Tudor

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Block Plan; Location Plan; Proposed Garage Drawing No 16/1111/01.

¹ Adopted January 2015

- 3) No further development shall be carried out until samples and/or details of the roofing materials and the materials to be used in the construction of the external walls have been submitted to and approved in writing by the local planning authority. The development shall be carried out in complete accordance with the approved details.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the garage hereby permitted shall not be converted to habitable accommodation.
- 5) The garage building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 6 Locks Lane.