



Appeal Decision

Site visit made on 5 December 2017

by G P Jones BSc (Hons) MA MRTPI

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

Decision date: 15th December 2017

Appeal Ref: APP/Y3940/W/17/3179704

Werg Garden, Werg, Mildenhall, Wiltshire SN8 2LY

- 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 S Mills against the decision of Wiltshire Council.
 - The application Ref 17/00571/FUL, dated 17 January 2017, was refused by notice dated 3 May 2017.
 - The development proposed is described as replacement dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

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

Reasons

Character and appearance

3. The appeal site lies within the Mildenhall Conservation Area (MCA) and the North Wessex Downs Area of Outstanding Natural Beauty (NWD AONB). The MCA covers a reasonably large area and within the vicinity of the appeal site it is characterised by a mixture of fields with a relatively sparse scattering of predominantly residential buildings of a variety of designs and materials, but with red brick elevations and slate roofs being the most common. The density of development is greater in the north-western part of the MCA and also along the main road that lies to the north of the appeal site, with some of these buildings being three storeys in height.
4. The River Kennet flows to the rear of the appeal site before then running adjacent to the northern boundary of Waters Edge, which is one of two dwellings that lie immediately to the north of the appeal site. The natural stone and red brick dwelling with a thatched roof, known as The Bothy, lies further way to the south-west of the appeal site. As described in the Mildenhall Conservation Area Statement, dated June 2004, the views across the Kennet valley are an important characteristic of the MCA.
5. Paragraph 115 of the National Planning Policy Framework (the Framework) states that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty. Section 72(1) of the Planning (Listed Buildings

and Conservation Areas) Act 1990 (the Act) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. This means that considerable weight and importance must be given to any harm caused to the significance of such heritage assets in the planning balance.

6. The Council has referred to a 2010 planning approval, reference E/09/1220/FUL, for a detached dormer bungalow and acknowledges that the proposed ridge height would only be slightly greater than for the approved dwelling. The Council has stated that it does not object to the principle of a dwelling on this site. I have no reason to disagree with this.
7. The appeal site sits on something of a corner location due to the bend in the road. Towards the rear of the site is a derelict single storey building comprising a former railway carriage that has been enclosed by concrete blocks and which was inhabited until the 1970s. Adjacent to the north lies the detached bungalow of Cotswold. Immediately beyond this is the detached dwelling of Waters Edge that was originally a bungalow but has been significantly extended and remodelled with a modernist design comprising a rectangular, wooden-clad and flat-roofed first floor sitting atop the larger ground floor.
8. The proposal that is before me would give rise to a dwelling that, although of the same height as Waters Edge, would have a much bulkier first floor and would be noticeably higher than the ridge height of the adjacent bungalow. The proposed shallow-pitched asymmetrical copper roof with flat roof dormers would give rise to a prominent feature, with more of an urban and somewhat boxy industrial character and appearance, that would be out of keeping with both of the adjacent dwellings and other buildings within the MCA that are of a more traditional and restrained traditional design.
9. Whilst the design of Waters Edge is of a more contemporary building style, this is nevertheless a rural area. The proposed dwelling would be sited in quite a prominent location within the AONB and the MCA with views of it across the open fields that lie to the south, west and east. It would be a conspicuous building with elements of its design, particularly the copper-clad asymmetrical roof, that would not relate well to either its rural context or the form of the adjacent bungalow. Instead it would give rise to an incongruous building that in my view would not conserve or enhance the landscape or scenic beauty of the NWD AONB and would lead to less than substantial harm to the significance of the MCA.
10. In terms of its public benefits the proposal would provide an additional dwelling that would incorporate sustainable building techniques and would entail the removal of the unattractive derelict building that is currently on the site. Furthermore, it would provide a very limited boost to housing supply and would create some economic benefits, particularly by virtue of the construction operations. However, such public benefits are limited and would not outweigh the less than substantial harm to the significance of the MCA that I have identified and to which I accord considerable weight and importance.
11. Overall I consider that the proposal would have a detrimental effect on the character and appearance of the area. The appellant has indicated a willingness to accept a materials condition, but has not demonstrated what other forms of materials would be utilised instead for the proposed

asymmetrical roof and exterior cladding. However, that is not the proposal that is before me, and in any event amending some of the materials would not affect the scale and massing of the proposal or the overall design of the roof.

12. Overall, I consider that the proposal would be contrary to paragraphs 17, 115 and 134 of the National Planning Policy Framework (the Framework) and to Core Policies 51, 57 and 58 of the Wiltshire Core Strategy (CS), adopted January 2015. Taken together these policies and guidance require, among other matters, that development is of a high standard of design that responds positively to landscape features, creates a strong sense of place, conserves and where possible enhances the special character and appearance of conservation areas, does not have a harmful impact upon landscape character and affords great weight to conserving and enhancing landscape and scenic beauty in AONBs.

Conclusion

- 13..Therefore I conclude that the harm of the proposal in respect of its impact on the landscape and scenic beauty of the NWD AONB and its less than substantial harm to the significance of the MCA, would significantly and demonstrably outweigh the benefits, and as such it would not constitute a sustainable form of development. For the above reasons, and having regard to all other matters raised, I conclude the appeal should be dismissed.

GP Jones

INSPECTOR