
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: 18th December 2017

Appeal Ref: APP/Y3940/W/17/3180867

Land at No 31 Charles Street, Corsham, Wiltshire SN13 0AN

- 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 L Healy against the decision of Wiltshire Council.
 - The application Ref 17/03706/FUL, dated 11 April 2017, was refused by notice dated 12 June 2017.
 - The development proposed is described as erection of studio apartment (C3 Dwelling).
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Decision

1. The appeal is dismissed.

Applications for costs

2. Applications for costs have been made by each party against the other. These applications are the subject of separate Decisions.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area and on the living conditions of future occupants.

Reasons

Character and appearance

4. The appeal site lies within a residential area and adjoins the two storey dwelling of no. 31 Charles Street that now comprises four flats. The site occupies a corner plot and the proposed new dwelling would adjoin the south-western side elevation of no. 31.
5. No. 31 is of a simple and restrained design with a pitched roof and regular fenestration. The other nearby dwellings in Charles Street are broadly of a similar form and design, generally comprising pairs of semi-detached or small terrace blocks of dwellings that are two storeys in height with pitched roofs, and thus not untypical of houses in a suburban location. Also within the locality there are blocks of three-storey flats and some bungalows further along Charles Street to the north-east.
6. In contrast to the adjoining building, the proposed dwelling would be an irregular, almost hexagonal, shaped building occupying a significant portion of its plot. The irregular front elevation would sit significantly in front of that of no. 31 and the adjacent dwellings beyond to the north-east comprising nos. 25 to 29. Therefore the proposed dwelling would be out of keeping with both the

established building lines and the massing, scale and layout of the dwellings in the immediate locality.

7. The proposal would have a flat roof with a parapet and lantern lights. There would be an unusual mix of fenestration, including small round windows and also ones that would extend for virtually the full height of the building. The rear and side elevations would have very limited fenestration. The building materials would comprise facing brickwork for the ground floor and timber cladding for the first floor. This combination of design elements would give rise to a dwelling with a contrived appearance that would appear significantly at odds with the appearance of the host building that it would adjoin and with other dwellings in the immediate locality.
8. Therefore, due to its design, scale, positioning and location the proposal would give rise to a form of development that would appear as a cramped and contrived form of development that would be visually incongruous within the established street scene to a detrimental degree. Paragraph 65 of the National Planning Policy Framework (the Framework) guides that planning permission should not be refused for buildings which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design. However, apart from its location I have not been presented with any cogent evidence that the proposed building would be particularly sustainable, and in any event for the reasons I have already described, I consider that it does not represent good design.
9. The appellant has stated a willingness to amend 'materially minor' design elements such as detailing of windows and doors and cladding materials. However, this is not the proposal that is before me and in any event such amendments would be minor and would not affect the overall detrimental visual impact of the proposal that I have identified.
10. For these reasons I consider that the proposal would have an unacceptable effect on the character and appearance of the area and therefore would be contrary to paragraphs 17 and 64 of the Framework and to Core Policy 57 of the Wiltshire Core Strategy (CS), adopted January 2015. Taken together these policies and guidance require, among other matters, that development creates a strong sense of place and responds positively to the existing townscape in terms of built form, elevational design, materials and rooflines to effectively integrate a building into its setting, and that permission should be refused for development of poor design.

Living conditions

11. The proposed new dwelling would be sited within a small broadly triangular plot of land and there would be a single parking space and small front garden area on land to the front of the property. The proposed garden area would be small in size and bounded to the front and side by a close-boarded wooden fence. Consequently, there would be little outdoor space to the front and almost none to the side or rear. The amount of private outdoor amenity space would be unacceptably limited for a two storey dwelling, particularly as this space would be at the front of the property and enclosed by quite high fencing, thereby reducing its attractiveness. Although the occupiers of the adjoining no. 31 have limited shared outdoor space to the rear this is more commensurate with their form as flats.

12. In terms of the configuration of the windows, I consider that whilst the large front windows would provide most of the light for the property, there would be other sources of light for both the main ground floor and first floor rooms, which in any event are not particularly spacious. Furthermore, it would be possible to incorporate some screening of these large windows so as to provide a reasonable degree of privacy. As such, I consider this aspect of the proposal to be acceptable.
13. Overall, the amount and quality of outside amenity space would not be acceptable for a proposed two storey dwelling of this nature and this would detrimentally impact on the living conditions that would be enjoyed by its future occupants. As such the proposal would not accord with paragraph 17 of the Framework and CS Core Policy 57 which, among other things, seek to ensure that new development achieves appropriate levels of amenity for future occupants.

Balancing exercise and conclusion

14. The proposal would provide an additional dwelling of a type that is in-demand, and which would be located with good access to the range of shops, services and facilities in Corsham. This would provide a very limited boost to housing supply and would create some economic benefits through the construction works. However, this is a small and constrained site and the proposal would have a significant detrimental effect on the character and appearance of the area and the living conditions of the future occupants. I attach a considerable degree of weight to the harm that I have identified in this regard.
15. Therefore I conclude that the harm of the proposal would significantly and demonstrably outweigh the benefits and as such the proposal 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