



Appeal Decision

Site Visit made on 25 May 2021

by **R E Jones BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 June 2021

Appeal Ref: APP/Y3940/W/21/3269223

912 Church Street, Collingbourne Ducis SN8 3EL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Richard Gordon against Wiltshire Council.
 - The application Ref 20/06672/FUL, is dated 6 August 2020.
 - The development proposed is demolition of existing dwelling and erection of detached self-build dwelling and associated infrastructure.
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Decision

1. The appeal is dismissed, and planning permission is refused.

Preliminary Matters

2. Amended drawings modifying the proposal's design were submitted after the Council had consulted on the original plans that accompanied the application. It proceeded to base its recommendation to refuse the application on the original drawings. The conservation officer for the Council did the same. Whilst I note that the Council has subsequently provided comments on the modified drawings in its appeal statement, I cannot be sure that consultees were consulted and invited to make representations on those drawings. Given the nature of the objections, accepting these revised plans may prejudice the interests of the interested parties. As such, I have proceeded to determine the appeal on the basis of the plans that were originally submitted and consulted on by the Council.
3. The appeal site is located within a conservation area therefore I have had regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), and Paragraphs 193-196 of the National Planning Policy Framework (the Framework).

Background and Main Issues

4. This appeal has been lodged following the Council's failure to determine the application within the relevant timescale. The Council in their submission include reasons for refusal had they been in a position to determine the application.
5. In light of the above, the main issues in this appeal are: (i) whether the proposal would preserve or enhance the character or appearance of the Collingbourne Ducis Conservation Area (CDCA); and (ii) the effect of the proposal upon archaeological interests in the area.

Reasons

Conservation area

6. The appeal site sits behind the residential frontage of Church Street and comprises a bungalow situated within a residential plot. Despite its concealed position behind that road frontage, the existing dwelling is partially visible across the open field enclosure to the south and east from Ludgershall Road. The site is located within the extensive CDCA.
7. Church Street is an historic throughfare that includes a number of thatched cottages and vernacular buildings as well as the 12th century St. Andrew Church. The Church's position on higher ground, to the north west of the appeal site, gives it an importance that reflects its historic role as a place of worship in the settlement. The wooded knoll that encompasses the church as well as the mature trees and hedgerow that occupy the spaces around the buildings provide a verdant backdrop to this part of Collingbourne Ducis. These combine to create an attractive assembly of buildings and natural features that evoke an idyllic village scene. Therefore, insofar as it relates to this appeal, the conservation area derives some of its significance from the aesthetic value of the traditional and historic buildings and the soft, verdant qualities of the intervening landscape features.
8. The Collingbourne Ducis Conservation Area Appraisal (CAA) provides guidance on the design of new dwellings within the heritage designation. This advises that the dwelling's form should be of wide frontage and shallow, not to exceed one room and a passage deep, so that the roof span is limited. Roof pitches should be steep (40+ degrees) on either side of a central ridge with at least one chimney stack per dwelling. Material finishes are advised to match the existing traditional red brick, flint, lime or cement render.
9. The proposed dwelling would have a longer single storey barn-like element connecting to a taller structure that would have accommodation over two floors. This taller element would rise above the rear boundary hedge and be visible from Ludgershall Road to the south and west. It would incorporate a square footprint that results in a wide roof span and shallow pitch. This contrasts markedly with the steeper pitches and narrower roof spans of the traditional dwellings to the north and west at No 6 and 8 Church Street, Long Thatch and Penny Ridge, and would harmfully unbalance the form and composition of that roofscape. This would be particularly apparent from Ludgershall Road, which has clear views over an open meadow towards the appeal site. The resultant impact on the roofscape of this part of the CDCA would fail to preserve its character and appearance.
10. To the appeal site's north east are the more modern dwellings at Prospect House and Willow House. These have larger proportions and roof spans that differ to the more historic buildings to the west. They are also more apparent in the views from Ludgershall Road given the lack of landscaping along their rear boundaries. Nevertheless, their presence does not justify the proposal's appearance, nor do they form the basis to disregard the appeal site's immediate context, close to the historic buildings to the immediate north and north west.
11. The dwelling's primary elevations would include an assortment of square and rectangular windows of varying shape and size. These would have a disorderly

appearance that would not harmonise with the more symmetrical shape and arrangement of windows in the nearby dwellings. The material finishes for the dwelling would include horizontal timber cladding to the elevations. Yet this would appear visually discordant juxtaposed amongst the adjacent dwellings, which have either red brick, flint or cement render elevations. As a consequence of this discordance, the qualities of the conservation area would be harmfully eroded.

12. The appellant maintains that the existing dwelling at the appeal site, does not contribute to the significance of the conservation area, and that its removal and replacement with the proposal would represent an improvement to the CDCA. Whilst the existing dwelling may be more limited in its architectural value, it nonetheless has a roof shape and span that is consistent with those nearby. In contrast the appeal dwelling's roof form would appear jarring and inconsistent in context with nearby buildings.
13. I understand that the appellant has reduced the scheme's size by around 30%. Whilst that may address the Council's previous concerns, it does not outweigh the harm I have found. Moreover, the scheme's design concept which tries to reflect the simple form and appearance of an agrarian building, does not, for the reasons I have outlined complement its immediate context.
14. I have found the proposal would result in moderate harm to the significance of the conservation area. Accordingly, the proposal would fail to preserve or enhance the character or appearance of the CDCA. It would also conflict with Policies 57 and 58 of the Wiltshire Core Strategy, adopted January 2015. These seek, amongst other things, for proposals to protect and conserve heritage assets and respond positively to the local context and existing townscape features in terms of built form, mass, scale, materials and rooflines to effectively integrate the building into its setting. The proposal would also fail to satisfy the requirements of the Act and the Framework.
15. Great weight should be given to a designated heritage asset's conservation. In terms of countervailing public benefits, the appeal scheme would increase the housing supply and add to the mix of housing options in the locality. However, the provision of one new self-build home would be a limited numerical boost to the housing supply. The proposal would result in the introduction of further trees at the site that would have ecological and landscape benefits. Yet, at this stage there is insufficient information before me in terms of the net ecological gain that would be provided in this instance. Other benefits include the contribution the proposal would make to the local economy. I consider that these factors result in minor public benefits.
16. The proposal would result in less than substantial harm to the significance of a designated heritage asset but that is a matter of considerable importance and weight. The public benefits identified do not outweigh that harm.

Archaeology

17. Paragraph 189 of the Framework requires an applicant for planning permission, as a minimum, to consult the relevant Historic Environment Record (HER) and assess the heritage assets using appropriate expertise where necessary. For sites with the potential to include heritage assets with archaeological interest, the applicant should submit an appropriate desk-based assessment and, where necessary, a field evaluation.

18. The appeal site, according to the Council, is located within a very sensitive archaeological environment with some stand out remains relating to the Saxon period identified in close proximity to the appeal site. Given the site's sensitivity, the Council requires a pre-determination trench evaluation (PDTE) to be carried out. The Council did not previously indicate the requirement for this at pre-application stage or when it assessed a previous application at the site. However, this does not necessarily mean that there is not potential for archaeological remains on the land.
19. The appellant accepts that there may be buried heritage in the wider parish but following checks of the local HER it is stated that there is no evidence of their being any archaeology of note at the site. This position, however, has not been accompanied by any specific information or mapping data from the HER that indicates no archaeological interest at this location.
20. In this case, without any detailed evidence indicating the lack of archaeological interest at the site it is simply not known whether there are any assets of importance present. Also, without this information I cannot be sure that it would rule out the requirement for a PDTE, as required by the Council. The appellant would accept planning conditions relating to the submission of a written scheme of investigation, LIDAR scan and a watching brief, which they consider, would be sufficient for the Council to retain control of any buried heritage. However, given the degree of uncertainty relating to the findings of those surveys, the use of conditions would not be reasonable in this case.
21. Therefore, the absence of sufficient information means I cannot rule out potentially significant harm to archaeological interests at the site. As such, the proposal would fail to accord with Paragraph 190 of the Framework, which requires decisions to take into account the impact of a proposal on a heritage asset.

Conclusion

22. Given the above, the proposal would not preserve or enhance the character or appearance of the CDCA, while there is a lack of assessment submitted to inform the proposal's effect on local archaeology. It would not accord with the development plan, the Framework and the Act and there are no other considerations to outweigh that finding. Accordingly, the appeal is dismissed.

RE Jones

INSPECTOR