



Appeal Decision

Site visit made on 7 December 2021

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2021

Appeal Ref: APP/Y3940/D/21/3278687

Beaglers Green, 3C Kingsfield Grange Road, Bradford-on-Avon BA15 1BE

- 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 R Simpson against the decision of Wiltshire Council.
 - The application Ref 20/09793/FUL, dated 5 November 2020, was refused by notice dated 29 June 2021.
 - The development proposed is extension to dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. An amended block plan was submitted with the appeal that was not before the Council when it made its decision. This does not alter the proposal in any way but provides clarity on its proximity to an extension approved at a neighbouring property. Accordingly, I have had regard to this information in my assessment of this appeal, and do not consider that any of the parties have been prejudiced by my approach.

Main Issues

3. The effect of the proposal on the character and appearance of the host property and the setting of Conigre House, a grade II listed building; and the proposal's effect on the living conditions of the occupiers at Woodcote and Cedar Cottage with particular reference to privacy.

Reasons

Character and Appearance

4. Beagles Green is an L-shaped bungalow incorporating a pitched roof with a left-hand gable projecting from the front elevation. It has an uncomplicated design that is characterised by the relaxed and symmetrical profile of its roof and matching gable projection. The dwelling is accessed off a shared private drive and located in a backland setting. Nonetheless it is visible from the windows and gardens of many of the surrounding dwellings in the immediate locality.
5. The proposed extension would replace and further extend the left-hand gable and run along part of the bungalow's southern flank wall. With its box-like profile and flat roof, the eaves of the proposal would rise significantly above those of the bungalow. Its bulkier proportions and high eaves line would juxtapose awkwardly against the bungalow's more relaxed roof plane and flank elevation. The contrast between the proposed and existing roofs would appear

jarring and consequently the proposal would fail to coherently unite with the design of the bungalow. This poor architectural relationship would have an unacceptable effect on the character and appearance of the host property.

6. It is noted that policies in the Neighbourhood Plan¹ and the National Planning Policy Framework, in part, support contemporary and innovative building design, while recognising that design can be subjective. However, in this case there would be a sharp contrast between the roof shapes of the proposal and the main dwelling that would, for the reasons outlined, be visually incongruous.
7. The appellant refers to other contemporary style extensions in the locality, although I do not have full details of these and how they would compare to the proposal. A modern side extension at Woodcote was noted during my site visit, however, this was more reduced in terms of its scale while incorporating a different design. Accordingly, it would not be a direct parallel with the appeal proposal, and I have given that example little weight.
8. The grade II listed Conigre House is located to the north of the appeal dwelling and at a higher land level. This larger mid nineteenth century former house derives its significance from its refined architecture and historic detailing. The attractively landscaped garden to the building's south and west forms part of its setting and allows its historic appearance to be appreciated. Accordingly, the garden makes a valuable contribution towards the building's significance.
9. The appeal dwelling is one of several modern dwellings that surround Conigre House. They do not particularly compliment the architectural style of the listed building or contribute to its setting. Notwithstanding my concerns, the proposal's position and separation distance from the listed building would not harm the aspects of the listed building's setting that contribute to its significance.
10. Although I have found there to be no unacceptable effect on the setting of the adjacent listed building, there would be significant harm to the character and appearance of the host property. Therefore, the proposal would not accord with the design aims of Policy CP57 of the Wiltshire Core Strategy (adopted January 2015) and Policies BE1 and BE2 of the Neighbourhood Plan. These require proposals to relate to the site and wider setting and respond positively to built form and elevation design.

Living Conditions

11. The neighbouring dwellings at Woodcote and Cedar Cottage to the west and south west would maintain in excess of 20m from the proposed extension. This would be more than adequate in the context of an urban area and would ensure no harmful mutual overlooking between habitable room windows. The proposal's first floor bedroom window would have a much closer relationship to the rear gardens of those properties. However, it would be angled away from what I envisage to be the main areas of use. There are also trees and shrubs along the boundary that together with the close boarded fences provide some screening to those gardens and would ensure no significant loss of privacy beyond the current situation.
12. On the basis of the above, the proposal would not harm the living conditions of occupiers at Woodcote and Cedar Cottage with particular reference to privacy.

¹ The Bradford on Avon Neighbourhood Plan 2013-2016, made October 2017

It would therefore accord with the provisions of Core Policy 57 of the Core Strategy which requires proposals to ensure that neighbours achieve appropriate levels of privacy.

Conclusion

13. Even though I have found no harm in respect of living conditions and the setting of the adjacent listed building, the proposal would nonetheless have an unacceptable effect on the character and appearance of the host property. There are no other material considerations to outweigh this finding or the conflict with the development plan. Therefore, for the reasons given the proposal is unacceptable and the appeal should fail.

RE Jones

INSPECTOR