
Appeal Decision

Site visit made on 11 January 2022

by Martin Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2022

Appeal Ref: APP/Y3940/W/21/3279561
7 and 8-9 Nethercote Hill, Lacock SN15 2LD

- 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 Mark Johns against the decision of Wiltshire Council.
 - The application Ref 20/09594/FUL, dated 30 October 2020, was refused by notice dated 9 April 2021.
 - The development proposed is described as "Proposed new-build double wide garage development with storage space at first floor level. Proposed new landscaping of existing gardens fronting Nethercote Hill to provide dropped access to gravel drive fronting proposed garage and additional 3No. open parking spaces with dropped access also. All as necessary provision for the private dwelling and within the grounds of 7&8-9 Nethercote Hill, Lacock, SN15 2LD."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. It is clear from the submitted information that amendments were made to the planning application prior to a decision being issued. These amendments are not reflected in the description of development on the planning application form or the Council's decision notice, which both refer to the creation of two dropped access points. For the avoidance of doubt, I have considered the appeal on the most recent amendments which show only a single point of vehicular access.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, bearing in mind the sites location within the Lacock Conservation Area and the setting of surrounding listed buildings.

Reasons

4. The site lies within the Lacock Conservation Area. The significance of this designated heritage asset lies, in part, in the layout of buildings and pattern of development within the vicinity of the appeal site. There is a distinct sense of spaciousness between buildings within the area which is established through the existing pattern of development. Moreover, there are attractive vistas available when travelling through the area. This is despite the enclosure of the road at this location by hedging and other boundary treatments.
5. Surrounding the appeal site are also a number of listed buildings, also designated heritage assets. These include 3 and 4 Nethercote Hill opposite the appeal site and Lovers Walk to the south-west, with 1 and 2 Nethercote Hill to

the south. All are Grade II listed buildings. The significance of each lies, in part, in them dating from the 17th and 18th Century, and their architectural detailing reflecting their age.

6. The appeal scheme would introduce a new, detached garage building to the garden area of the existing dwelling. I observed that there were clear views of this location from the surrounding area, particularly when travelling northwards along the road. From this vantage point, it would be an assertive addition to the site and overly prominent. This would be exacerbated by the scale and height of the proposed garage, as well as by that the ground level at the site of the proposed building lies above that of the adjacent road. It would therefore be an excessively dominant feature at this location, that would harmfully disrupt the existing pattern of development in the locality. Moreover, it would be an intrusive feature in views afforded from the surrounding area when travelling through this part of the conservation area. That the location is not part of the historic core of the settlement, being an outlying region, does not diminish this effect. Additionally, I do not consider that supplementary boundary planting would sufficiently ameliorate the harm that would result from the introduction of the proposed building.
7. While the presence of some hard surfacing within plots is not unusual in the area, that which is proposed is substantially larger in its extent than other examples that I was able to see. This element of the appeal scheme would appear as an overly suburban feature at this location, diminishing the attractive semi-rural aspect of the locale.
8. In terms of the new vehicular access itself, I observed that there were other similarly sized access points located along this stretch of the road, affording off-road parking for properties. While I acknowledge that there would be some loss of the boundary hedging in order to achieve the access, I noted that the hedging appeared to be in a poor state and provided little, if any, positive reinforcement to the enclosure of the garden area. In this context, I consider that the creation of the access point at this location would not be harmful and would reflect those that already exist.
9. While I note the comment of the Council that the relationship of the listed buildings to each other contributes to their settings, I observed that the setting of each of the listed buildings was more limited in extent. The layout of development contributes to the significance of the conservation area; however, I find that the significance of the listed buildings is not derived from this. The appeal scheme would thus not have a harmful effect on the setting of the nearby listed buildings.
10. Accordingly, while I find that there would be no harm to the significance of the surrounding listed buildings, there would be a harmful effect on the character and appearance of the area, including the Lacock Conservation Area, a designated heritage asset. Thus, the proposal conflicts with Core Policies CP57 and CP58 of the Wiltshire Core Strategy (adopted 2015), insofar as they seek to ensure that development responds appropriately to local context and that designated heritage assets are preserved.
11. In identifying the harm above, I find that the proposal would result in less than substantial harm to a designated heritage asset. In accordance with paragraph 202 of the National Planning Policy Framework, I have had regard to the public benefits of the proposal. The appellant asserts that the scheme would result in

public benefits through the provision of parking spaces outside of the conservation area, thereby reducing the parking requirement within it. However, the appeal site also lies within the conservation area. I accept that there would be a reduction in parking demand in the historic core of the settlement, but I find that this attracts limited weight. There is reference to the tidying up of an unkempt garden which has a minor harmful effect on the conservation area. However, it is within the ability of the appellant to tidy this area up without undertaking the proposed development. As such, this matter has little bearing on my decision. The limited economic benefits arising from the proposal would also in my view attract little weight.

12. Therefore, the public benefits of the proposal carry limited weight and are insufficient to outweigh the harm to the significance of the designated heritage asset that I have identified.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

Martin Allen

INSPECTOR