



Appeal Decision

Site visit made on 3 November 2022

by AJ Mageean BA(Hons), BPI, PhD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th November 2022

Appeal Ref: APP/Y3940/D/22/3300560

Stokes, Westfield House Road, Tytherton Lucas, Chippenham, Wiltshire, SN15 3RL

- 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 and Mrs Shaw against the decision of Wiltshire Council.
 - The application Ref PL/2022/00904, dated 4 February 2022, was refused by notice dated 31 March 2022.
 - The development proposed is attic conversion including roof lights and rear facing dormers, single storey kitchen and garden room extensions, and a one and a half storey extension linking house and garage. Rear balcony to garage office.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellants refer to amended plans being first submitted to the Council on 29 March 2022, prior to the issue of the decision notice on 31 March 2022. However, I understand that the application was determined on the basis of the plans submitted on 2 March 2022. In the context of this appeal there are notable differences between the original and amended plans. It is therefore appropriate that I consider the appeal on the same basis as the Council.
3. The appeal building, 'Stokes', is located within the village of Tytherton Lucas. I understand that for planning purposes this is regarded as open countryside. Stokes was constructed some 20 years ago on the site of a former bungalow. It was permitted under saved Policy H4 of the North Wiltshire Local Plan which allows for replacement dwellings within the same residential curtilage. As the replacement building was significantly larger than the original bungalow it was subject to a condition restricting permitted development rights. Whilst saved Policy H4 remains extant, as it addresses circumstances in which new dwellings in the countryside may be permitted, it does not apply to the present case.

Main Issues

4. The main issues are the effect of the proposal on the character and appearance of the area, with particular reference to the Tytherton Lucas Conservation Area and the setting of nearby listed buildings.

Reasons

5. Tytherton Lucas is a quiet rural hamlet comprising a dispersed group of largely farm related buildings, the central element of which is encompassed by the Conservation Area (CA). Most buildings appear to date from between the 17th

and 19th centuries and are set back from the road within spacious well landscaped grounds. Whilst some outbuildings have been converted and updated, the farmhouses themselves appear largely unaltered, and are typically substantial stone structures with steeply pitched tiled roofs, tall chimneys and in some cases modest gabled dormers. The flat topography and areas of mature landscaping mean that buildings are seen mostly in glimpsed and passing views when moving around the locality. The distinctive roofscape is most clearly seen and is therefore an important element of CA character.

6. Whilst 'Stokes' is a contemporary building, it has been designed to mirror the local building typology and architectural vernacular. It is a substantial stone building with a steeply pitched tiled roof. A double garage to the side of Stokes is similarly designed and has a modest link to the ground floor of the main building. The attractive double gabled front elevation of Stokes is seen from the track, a public right of way which extends from the lane and access driveway from the east. These views are filtered by deciduous trees in summer months, though at the time of my site visit leaf fall meant that this elevation could be clearly seen. The more modestly designed rear elevation, which includes a conservatory can also be seen in views from further along the track.
7. To the east of Stokes the Grade II* Listed Manor Farm is set back behind outbuildings within well-landscaped grounds, with its roofscape as the most visible element locally. Stokes is part of the wider setting of this Listed Building, with glimpsed views of the front elevations of both buildings possible from the track. In this sense Stokes makes a limited though positive contribution to the setting of Manor Farm as part of the hamlet as a whole.
8. Stokes similarly forms part of the wider setting of the Grade II* Listed Church of St Nicholas, a modestly sized parish church dating from the 13th century. However, access restrictions and intervening vegetation mean that the visual connection is less clear.
9. Planning permission for alterations including an attic conversion with rear dormer windows, a single storey extension across the rear elevation and a garage loft balcony was granted in 2021 (20/11550/FUL). At the time of my site visit some alterations to the garage appeared to be in place, including rooflights and additional first floor windows to the front and rear. The main additional alterations under consideration as part of this appeal include a first-floor link between the garage and main building, front and rear facing ridge roof lights on the main building and the replacement of the existing conservatory with a slightly larger flat roofed garden room. As the principle of the changes previously approved has been accepted, this decision focuses on those alterations additionally sought as part of the appeal scheme.
10. The first-floor link over the garage would consolidate what is presently a light and recessive connection at ground floor. Whilst it would remain rebated behind the main building line, it would infill a gap which currently serves to distinguish the bulk of the main building from what is a significantly sized garage building. This consolidation would erode the qualities of Stokes as a carefully designed double fronted building. It would appear to extend the mass of its front elevation in a clumsy fashion, undermining the coherence of its vernacular features. This harm to the appearance of Stokes would be visible in views from the track, particularly during winter months. This visual intrusion would not be addressed by the substitution of alternative facing materials.

11. The use of ridge rooflights would be a noticeable addition, particularly to the uninterrupted roof slope of the front elevation, which is visible in the wider area alongside similarly plain and unbroken roof forms. Whilst the extant approval includes rear facing dormers, similar small gabled dormer windows are seen in the wider CA. The extant approval also allows rooflights in relatively discrete positions on the front gable roof slopes. The proposed rooflights on principal roof slopes would be much more apparent, eroding their unbroken appearance and thereby undermining the integrity of this characteristic element of the CA.
12. The appellants suggested amendment would replace the ridge rooflights with smaller rooflights positioned further down the front and rear roof slopes. However, whilst less visible in the wider area and with less propensity for light spill, they would still undermine and erode the special qualities of the CA.
13. The replacement of the existing conservatory with a garden room would appear as part of the previously approved consolidation across the ground floor of the building. As this is a less visible element of the wider CA this part of the scheme would be acceptable.
14. Whilst the proposed alterations would represent a modest increase in the floorspace of Stokes, with the increase impacting mostly on the rear elevation, I have found that the first-floor garage link and the rooflights would be inappropriate additions, undermining the character and appearance of the hamlet and the CA.
15. The nature of these alterations would modestly erode the contribution Stokes makes to the setting of Manor Farm, and to a lesser degree the Church of St Nicholas, both designated heritage assets of the highest significance. The appellants suggest that by replacing the existing conservatory there would be an improvement to the setting of the Church of St Nicholas. However, given the limited visibility of the lower-level rear elevation in the wider area, and the fact that the conservatory would be replaced with a contemporary glazed structure, I view this as a neutral matter.
16. Landscaping in and around the appeal site means that some views of Stokes are filtered, noting also that the appellants intend to reinforce this landscape setting. However, as glimpsed and passing views of buildings are a characteristic element of the hamlet, this would not address the issues identified.
17. I have considered the implications of the previous approval as a fallback option for the appellants. In this regard the differences between the extant approval and current proposals have been identified and assessed, with specific harms clearly defined.
18. I therefore find that the proposal would have a harmful effect on the character and appearance of the area, with particular reference to the Tytherton Lucas Conservation Area and the setting of nearby listed buildings. There would be conflict with the Wiltshire Core Strategy Policy 51 which states that development should protect, conserve and where possible enhance landscape character, including recognising the locally distinctive character of settlements and their landscape settings; Policy 57 which requires that all new developments, including extensions, should enhance local distinctiveness by responding positively to the existing townscape and landscape features in terms of elements including built form, height, mass, scale, elevational design

and rooflines to effectively integrate the building into its setting; and Policy 58 which sets out that development should protect, conserve and where possible enhance the historic environment.

19. Legislation and policy require that I give great weight to the conservation of designated heritage assets. With reference to the National Planning Policy Framework paragraph 202, the harm caused to the designated heritage assets in this case can be characterised as less than substantial. In these circumstances I am required to weigh this harm against the public benefits of the proposal. The appellants state that the reconfiguration of Stokes is needed to adapt to the requirements of their family. However, this private benefit cannot be weighed in the balance of harms against benefits. It cannot therefore alter my conclusions.

Conclusion

20. For the reasons given, taking into account material considerations, the appeal should not succeed.

AJ Mageean

INSPECTOR