
Appeal Decision

Site visit made on 24 November 2022

by L Page BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th December 2022

Appeal Ref: APP/Y3940/W/22/3298227

Florence House, Romsey Road, Whiteparish, Wiltshire SP5 2SD

- 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 Simon Kulas against Wiltshire Council.
 - The application Ref PL/2022/01129, is dated 8 February 2022.
 - The development proposed is double garage in front driveway together with associated landscaping.
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Decision

1. The appeal is dismissed and planning permission refused.

Procedural Matter

2. The Council failed to give notice of their decision within the prescribed period. However, it is clear from their appeal statement that they would have refused planning permission, and this has helped establish the main issues under the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The site is located at Florence House on Romsey Road. It comprises garden land to the front of a two storey dwelling and sits within the established residential area of Whiteparish.
5. The proposal would erect a double garage that sits forward of the existing dwelling and building line along this part of the street, measuring around 6.6m by 5.6m in area with a ridge height of around 4.75m. The materials would comprise brickwork and tiles.
6. As a result of its position forward of the existing dwelling and building line, in conjunction with its appreciable scale, the proposal would appear unduly dominant within the street scene. It would not appear subservient to the existing dwelling and would create an imbalanced relationship on the plot, which would be harmful.

7. Even with landscaping to the front of the site, the upper extent of the building would still be readily visible within the street scene, despite also being hipped and having a consistent pitch with the existing dwelling. As such, the landscaping or roof profile would not be wholly effective in mitigating the impacts associated with the proposal.
8. Whilst I note references to the planning history of the site¹, it is clear from the analysis presented by the Council that the previous proposals are not directly comparable in scale to the proposal in this case, which is larger, particularly in height.
9. Scale has been fundamental to my assessment of harm and therefore it is not clear how the planning history involving development of lesser scale can be leveraged in support of the proposal in this case.
10. Consequently, I have given the planning history limited weight in favour of the proposal irrespective of the appellant's contentions that the previous reasons for refusal were not in accordance with the development plan, or that officers had recommended approval².
11. Even accepting that the planning history of the site should not be considered material, the proposal in this case is not acceptable in and of itself when assessed against the prevailing context of the site and its surroundings.
12. I also note references to examples of other development nearby. However, these are limited in number and are not necessarily common to the character and appearance of the area, or the immediate context of the existing dwelling and neighbouring dwellings within which the proposal needs to be assessed.
13. Indeed, as set out in the appellant's design and access statement, together with neighbouring Mulberry House, the dwellings were developed as a cohesive pair without garages. As such, changes at other dwellings in the locality³ are not directly relevant.
14. There is no dispute in relation to the use of materials as part of the proposal, and this matter has not been determinative in my assessment.
15. I note the appellant's contentions in relation to the position of the garage, but there is no evidence demonstrating that a location to the side of the existing dwelling is not feasible.
16. Whilst I appreciate the appellant's suggested concessions, these would be significant changes to the proposal and not something that could be secured by planning condition. Consequently, I have given them limited weight.
17. Overall, the proposal would harm the character and appearance of the area and conflict with Core Policy 57 of the Wiltshire Core Strategy 2015, which among other things seeks to ensure high quality design and place shaping.

¹ And the appellant's attempts to address the Council's concerns during each previous iteration of the proposal.

² Which would not prejudice the democratic decision making function of the Council in any event.

³ Such as under 18/029029/FUL cited by the appellant.

Other Matters

18. The site is within the setting of Whiteparish Conservation Area. There is no evidence that the proposal is of a scale that would impact on its setting or heritage significance. Even if there were such impacts, the effect of my decision to dismiss the appeal and refuse planning permission would preserve the character and appearance of the conservation area. Consequently, it is not necessary to probe the matter further or seek additional comments from the parties.
19. Correspondence between the appellant and the Council during the course of the original application, or the Council's approach to administration therein, are not matters for me to engage with during the course of this appeal. Indeed, any advice given by officers during the course of the application is given without prejudice to any final decision made by the Council.

Conclusion

20. For the reasons given, the appeal is dismissed and planning permission refused.

Liam Page

INSPECTOR