



Appeal Decision

Site visit made on 17 May 2023

by S Rawle BA (Hons) Dip TP Solicitor

an Inspector appointed by the Secretary of State

Decision date: 9 August 2023

Appeal Ref: APP/Y3940/W/22/3312862

7 Old School Close, Bromham SN15 2ES

- 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 C Holloway against Wiltshire Council.
 - The application Ref PL/21/11334, is dated 6 December 2021.
 - The development proposed is a single storey rear extension, plus second storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension, plus second storey side extension at 7 Old School Close, Bromham SN15 2ES in accordance with the terms of the application, Ref PL/21/11334, dated 6 December 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 21/132 Rev A; Site Location Plan at scale 1:1250 received by the Council on 6 September 2022; and Block Plan at scale 1:500 received by the Council on 6 September 2022.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The Council failed to determine the planning application within the prescribed period. This appears to be predominantly because it was difficult to scale from the submitted plans. The Council confirmed that it was possible to scale from Drawing Number 21/132 Rev A, but not from the latest Drawing Number submitted which was 21/132 Rev B. However, the Council also confirmed that there was no difference between the two drawings. The appellant has also confirmed that the application required a minor amendment which was carried out and consequently Drawing Number 21/132 Rev A was submitted. As the parties agree that the proposal is shown on Drawing Number 21/132 Rev A, I have determined the appeal on that basis.
3. Further, at the request of the Council the appellant submitted amended site location and block plans to accurately show the site boundary which the Council confirm they received on 6 September 2022. I have determined the appeal on the basis of these amended plans and as they are not titled and have the same

date produced as the original plans, for the sake of clarity I have used the title used and the date they were received by the Council.

Reasons

4. The appeal site is located in an established residential area comprising short rows of terraced houses of a similar period. The appeal property is an end terrace which has a single storey side extension. The proposal would involve the introduction of a two storey side extension with a pitched roof and a single story rear extension that would have a mono-pitch roof.
5. Since the appeal was lodged, the Council has provided a statement which included an assessment of the proposal which found that it would not have any adverse impact on the living conditions of neighbouring residents, would not cause any harm to highway safety and would not harm the character and appearance of the area. On that basis the Council recommended approval subject to conditions.
6. The proposal would be modest in scale, appropriately designed using matching materials and would not result in the overlooking of neighbouring properties due to the positioning of the proposed windows. No highways harm arises. As I have noted, the Council now raises no objections to the proposal, and have also confirmed that the Parish Council has no objections and no other interested-party representations have been received.
7. I therefore conclude that the proposal would not harm the character and appearance of the area, the living conditions of neighbouring residents or highway safety. As a result, the proposal would accord with Core Policies 57 and 61 of the Wiltshire Core Strategy adopted January 2015, which amongst other things seek to ensure that development relates effectively to the character of the area, does not adversely impact the amenity of existing occupants and is capable of being served by safe access to the highway network.

Conditions

8. I have had regard to the conditions suggested by the Council and considered whether the tests set out in the National Planning Policy Framework for conditions are met.
9. In addition to the standard time limit condition, in the interest of certainty I have imposed a condition requiring that the development is carried out in accordance with the approved plans. To protect the character and appearance of the area, it is necessary to impose a condition requiring that the materials match the existing dwelling.

Conclusion

10. For the reasons given above, I conclude that the proposal would accord with the development plan and therefore the appeal is allowed.

S Rawle

INSPECTOR