The Planning Inspectorate

Appeal Decision

Site visit made on 6 September 2023

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20th September 2023

Appeal Ref: APP/Y3940/D/23/3324621
3C Kingsfield Grange Road, Bradford-on-Avon, Wiltshire, 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 PL/2022/08288, dated 26 October 2022, was refused by notice dated 11 May 2023.
- The development proposed is extension to dwelling.

Decision

1. The appeal is allowed and planning permission is granted for extension to dwelling at 3C Kingsfield Grange Road, Bradford-on-Avon, Wiltshire, BA15 1BE in accordance with the terms of the application, Ref PL/2022/08288, subject to the conditions set out in the attached Schedule.

Main issues

2. The main issue is the effect of the proposals on the character and appearance of the host property and surrounding area.

Reasons

3. The appeal property is a detached bungalow. A previous application to extend was refused permission by the Council, and a subsequent appeal was dismissed[1]. The appeal decision is material to my considerations. The previous scheme also involved extensions, but the extensions and alterations proposed now are more radical, in that they would result in the visual transformation of the building. The bungalow's roof would be removed and replaced with an additional flat-roofed first floor, and a new two-storey wing is also proposed.

4. The Council takes the view that the existing bungalow would be '*overwhelmed'* by the bulk of the additional storey and the character and appearance of the host property would no longer be discernible. The '*rectangular volume'* as described by the Council would be read as a '*clumsy architectural element that would not read as a good or complementary design'* as it would not '*cohesively blend with the existing aesthetic and character of the surrounding bungalows'*. The resultant shape of the building and its flat roof, in the Council's view, would jar and juxtapose awkwardly with the design of neighbouring properties.

[1] Ref APP/Y3940/D/21/3278687, dated 23 December 2021.

5. The Council's reasons for opposition are shared by two local residents, the residents of Woodcote, a neighbouring dwelling. But I also note the contrary views expressed by the Bradford-on-Avon Preservation Trust, whose prime concern centred on protecting the setting of the nearby listed building, Conigre House (*Grade II*). The Trust said:

   We have taken the view that the existing bungalow is of no architectural merit whereas the proposals represent relatively good design that is of a contemporary appearance. The scale and mass of the current proposals are acceptable and the innovative design, with clean lines and a linear emphasis, is a significant improvement on that which exists at the present time. Furthermore, the use of timber cladding, if well insulated, is likely to improve the energy efficiency of the dwelling and the use of natural timber will in time once weathered soften to a silvered appearance.

6. Having regard to what I saw at the site and the submitted plans, I share the Trust's views on the design merits of the existing bungalow and the changes envisaged. I could hardly have expressed my opinion of the proposal better.

7. The bungalow is of recent origin and is set in a modestly sized garden. It is set at a lower level than the bungalow to the west, and its boundaries and access to it are well planted and vegetated providing a significant degree of natural screening. These factors, taken in combination, are such that the bungalow is not prominent in the local scene, being apparent only from a relatively few surrounding properties at an acceptable distance. It nestles comfortably into its verdant surroundings, and whilst the shape and appearance of the extended bungalow would be significantly different, I see no good reason why the proposal if built would not also sit acceptably in its visual context.

8. I therefore conclude that whilst the development would transform the appearance of the host property, it would be for the better in design terms. This would be achieved without harmfully affecting the character and appearance of the surrounding area.

9. Accordingly, I find no conflict with the thrust of those provisions of Core Policy 57 of the Wiltshire Core Strategy directed to achieving high quality design in all development, including house extensions, complementary to the locality. Neither do I find a conflict with the objectives of policies BE1 and BE2 of the Bradford on Avon Neighbourhood Plan directed to protect manage and enhance the built environment of the town.

Conditions

10. The Council's suggested conditions regarding materials and that the development shall be carried out in accordance with the approved plans shall be imposed in the interests of amenity and certainty respectively.

11. To safeguard neighbouring privacy, the two conditions suggested by the Council in respect of windows and openings are imposed, albeit in a modified form.

Other matters

12. All other matters referred to in the representations have been taken into account, including the Town Council's comments and references to the setting

of the listed building already referred to above. I share the Council's and the Trust's assessments on this aspect.

13. I am content that neighbouring amenity would not be put at risk, and conditions are imposed to protect privacy, both for neighbours and future residents of the extended dwelling. Given the separation distances, I do not consider that the small windows proposed for two of the first floor bedrooms would materially affect neighbouring privacy. The larger window proposed in the third bedroom faces the appeal property's garden and would not cause unacceptable overlooking of neighbouring property.

14. I have seen the references to other development plan policies, but those to which I have referred are considered the most relevant. The references to the *National Planning Policy* Framework have also been considered.

15. No other matter is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.

2. The development hereby permitted shall be completed in accordance with the following approved plans: the location & proposed site plans; and Drawing Nos 645-P-01; 645-P-02 & 645-P-03.

3. No development shall proceed above slab level until the details of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

4. Before the development hereby permitted is first occupied the first floor windows serving bathrooms, dressing room, corridors and circulation space shall be glazed with obscure glass only [to an obscurity level of no less than level 2] and the windows shall be maintained with obscure glazing in perpetuity.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the first floor elevations of the development hereby permitted.