



Appeal Decision

Site visit made on 12 September 2023

by P Terceiro BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2023

Appeal Ref: APP/Y3940/W/23/3319296

1 Queens Road, Royal Wootton Bassett SN4 8AW

- 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 Dogra against the decision of Wiltshire Council.
 - The application Ref PL/2022/04624, dated 15 June 2022, was refused by notice dated 31 October 2022.
 - The development proposed is the demolition of garage to construct 2 no. dwellings on land to the side and rear and alterations to the existing house.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At my site visit I observed that works have commenced on site and I noted that a rear dormer window has been installed on the roof slope of the host dwelling. For the avoidance of doubt, I have determined this appeal based on the plans which accompany the appeal.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether or not acceptable living conditions would be created for future occupiers with particular regard to privacy.

Reasons

Character and Appearance

4. The appeal site is an end of terrace property which occupies a prominent corner plot at the junction of Queens Road and The Rosary. Whilst the type and appearance of the dwellings in the area varies, the plot sizes are mostly large. The properties along The Rosary have a generally uniform building line set back behind a generous verge. This, together with the gaps between the side elevations of the existing dwellings and the rear gardens on the corner plots, creates a pleasantly spacious, suburban character to the area around the site.
5. The proposed plots would be smaller than those surrounding. The side boundary fence for plot 2 would run adjacent to the footpath, cutting into the plot due to parking space 2 and the pedestrian access to the side of the

- bungalow. This arrangement would therefore appear contrived, the plot would have an awkward shape and the house within plot 2 would appear cramped.
6. The bungalow would be located next to a two storey dwelling, which is a relationship seen elsewhere in The Rosary. The width of the plot would not be dissimilar to surrounding properties. However, the constrained size of the plot would effectively push the bungalow forward beyond the front elevation of the adjacent terrace to the north and beyond the side elevation of the proposed dwelling at plot 2. This would lead the bungalow to appear cramped and unduly prominent within the streetscene. This would be accentuated by its poor relationship with the immediately adjacent close boarded timber fencing. For these reasons, the proposal would not make an efficient use of land insofar as it would fail to successfully integrate into its surroundings.
 7. My attention is drawn to a recent planning permission¹ granted at this site for a garage, similar in form to a garage on the opposite side of The Rosary. However, the nature, use and activities associated with a garage would be substantially different and, in addition, it would read as an ancillary building to its host dwelling. As such, this consent does not alter my findings that the proposal before me would be harmful.
 8. Given the above, I conclude that the proposal would detract from the character and appearance of the area. It would conflict with Core Policy 57 of the Wiltshire Core Strategy 2015 (CS), which seeks to ensure that developments respond positively to the existing townscape and make an efficient use of land. Further, the proposal would be contrary to Policy 7 of the Royal Wootton Bassett Neighbourhood Plan 2018, which sets out that development must respect local character. It would also conflict with the National Planning Policy Framework (the Framework) where it seeks to ensure that development is sympathetic to local character.

Living Conditions

9. The bungalow's garden would be enclosed by fencing, which would prevent views from the rear garden at 1 Queens Road and from its ground floor rear facing windows. However, No 1 contains a first floor rear facing window which serves a bedroom. Due to the limited depth of this plot, the window would closely overlook the rear garden of the proposed bungalow. Therefore, the future occupiers of the bungalow would not have sufficient privacy.
10. I note the appellant's comments that the bedroom window could be obscure glazed. However, this window is the sole source of outlook from this room. As such, I am not persuaded that this would be a reasonable imposition on its occupants.
11. The appellant further notes that the existing window looks out over various residential gardens. Whereas this may be the case, the overlooking from the bedroom window would be more direct and would come from the side of the bungalow's garden, and so it would feel more intensive and invasive. Furthermore, it would not be reasonable to expect future occupants of the bungalow to dwell in the garden space immediately aside the boundary fence in order to avoid being overlooked.

¹ Ref PL/2022/08516

12. To conclude, the proposal would be contrary to Core Policy 57 of the CS, which seeks to ensure that appropriate levels of amenity are achievable within the development itself. Further, the proposal would also be contrary to the Framework, which seeks to create places with a high standard of amenity for existing and future users.

Planning Balance

13. The Council cannot demonstrate a 5 year supply of deliverable housing sites, albeit I have not been provided with the level of shortfall. Nevertheless, paragraph 11d) ii. of the Framework should be applied. It states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
14. The government is seeking to significantly boost the supply of housing, and the scheme would introduce two new homes to the local supply, including a bungalow that would suit the elderly demographic. There would likely be an associated boost to the local economy. However, the Framework equally places emphasis on good design which respects the character and appearance of the area and provides acceptable living conditions for future residents. Consequently, the proposal's adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

15. Overall, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations of sufficient weight to indicate that a decision should be made otherwise than in accordance with it. Therefore, the appeal is dismissed.

P Terceiro

INSPECTOR