



Appeal Decision

Site visit made on 10 November 2023

by Rebecca McAndrew, BA Hons, MSc, PG Dip Urban Design, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2023

Appeal Ref: APP/U3935/D/23/3329848

Westrop Cottage, 24 Cricklade Road, Highworth, Swindon SN6 7BL

- 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 S Sheikh against the decision of Swindon Borough Council.
 - The application Ref S/HOU/23/0463/JAAB, dated 13 April 2023, was refused by notice dated 14 August 2023.
 - The development proposed is to widen the existing access and extend the existing dropped kerb to 4.2m.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the appeal site address in the banner above from the Council's decision notice as it is more concise than that on the planning application form.

Main Issue

3. The main issue is the effect of the proposal of the wall and adjacent properties and whether it would preserve or enhance the character or appearance of the Highworth Conservation Area (CA).

Reasons

4. The appeal site occupies a prominent position within the CA. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the character or appearance of the CA.
5. The National Planning Policy Framework (2023) paragraphs 199-203 state that, when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to its conservation. Any harm should require clear and convincing justification. Where a proposal would lead to less than significant harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
6. Policies EN10 and DN1 of the Swindon Borough Local Plan 2026 (2015) (SBLP) require well-designed development which contributes to sense of place and local distinctiveness. Proposals should sustain the significance of designated

heritage assets and preserve or enhance the historic character or appearance of the CA.

7. The appeal relates to an attractive stone boundary, which runs to the front of the applicant's property, Westrop Cottage, and neighbouring dwelling Westrop House. The wall and both properties are Grade II listed. The Highworth Conservation Area Appraisal (2006) refers to the wall, acknowledging the positive contribution it makes to the character and appearance of the CA.
8. The proposed widening of the vehicular access to the appellant's home would result in the loss of a good-sized section of this historic and attractive stone boundary wall. The proposal would alter the solid to void ratio of the wall to the front of the appeal site, creating a notably wider gap and undermining the robust appearance of the wall as it currently reads. This would unduly harm the setting of the adjacent listed buildings and unacceptably erode the wall's positive contribution to the character and appearance of the CA.
9. In conclusion, the proposal would unacceptably harm the special interest of the wall, Westrop Cottage and Westrop House. It would fail to preserve or enhance the intrinsic character and appearance of the site and CA. In having regard to the legislative and policy requirements, the proposed development causes 'less than substantial harm'. However, the limited benefits associated with the widening of the access, as set out below, would not outweigh the harm in this case. The proposal would therefore conflict with the Framework and Policies EN10 and DN1 of the SBLP.

Other Matters

10. I note the appellant's concerns regarding the restricted width of the current access point and the desire to widen the access for ease of access and to minimise potential damage to the existing wall. I acknowledge that it is a snug fit for a single vehicle to pass through the existing access and that this has caused problems for visitors and deliveries to the site. I recognise that that there is limited vision when exiting the site, the potential for speeding vehicles and that it is only proposed to widen one side of the access. I also accept that the proposal would improve the safety of the existing access for road users and pedestrians.
11. Nonetheless, given that I have found that the proposal would not preserve or enhance the character and appearance of the CA, I give these matters limited weight in favour of the proposal.

Conclusion

12. For the reasons given above, I conclude the proposal would conflict with the development plan, the Framework and Conservation Area legislation and there are no material considerations that would indicate the appeal should be allowed. Therefore, for the reasons given, the appeal is dismissed.

Rebecca McAndrew

INSPECTOR