



Appeal Decision

Site visit made on 13 February 2024

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 28 February 2024

Appeal Ref: APP/Y3940/W/23/3315654

No's 42 & 44 Oxford Street, Ramsbury SN8 2PG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr. & Mrs. A Fitton against the decision of Wiltshire Council.
 - The application Ref is PL/2021/11212.
 - The development proposed is removal of existing bike store to No. 44 Oxford Street. Erection of detached two bay open cartshed/store and detached four bay garage with accommodation above, both to serve No. 44 Oxford Street. Removal of existing shed, gate and wall to allow for revised vehicular access arrangements for both No's 42 and 44 Oxford Street. Associated hard and soft landscaping; including new walls, gates and fencing.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. An updated version of the National Planning Policy Framework (Framework) was published on 19 December 2023. Its content is largely unchanged in relation to the main issue of this appeal, so I have not sought the views of the main parties on this matter.
3. The appeal building, No. 42 Oxford Street, is a grade II listed building. An application for listed building consent¹ (LBC) for those aspects of the proposal that also require LBC was also submitted to the Council. The LBC was granted. The appeal has therefore been made in respect of the Council's refusal of the planning permission only.
4. At the time of my visit building work was under way at the site. The garden had been cleared, and the boundary wall and outbuilding demolished.

Main Issues

5. The main issues are the effect of the proposal upon:
 - a) the character and appearance of the area, including the significance of the grade II listed building known as 42, Oxford Street², and whether the proposal would preserve or enhance the character or appearance of the Ramsbury Conservation Area (RCA), and
 - b) the living conditions of the occupiers of adjacent dwellings with regard to privacy.

¹ Council Ref: PL/2021/11390

² List Entry Number 1183933

Reasons

Character and appearance

6. The appeal site is in the centre of the large village of Ramsbury, and within the RCA, which covers the historic core of the settlement. Development in the RCA is generally compact and fronts its main roads directly, mostly in terraced two-storey form. The RCA features a high proportion of historic buildings, many of which are listed. Its historic form and appearance, as well as the consistent use of flint, thatch, tile, and brick are key contributors to its character and appearance as is its setting within a protected landscape.
7. No. 42 Oxford Street is a modest building dating from the 17th century and was originally two cottages. Its significance is found primarily in its characterful vernacular appearance, derived from its unordered placement of openings and layout of its exposed timber frame that forms its front wall. It has a thick set thatched roof that sweeps down over two eye brow dormers to the front, and forms a low eaves level. Buildings of a similar age and style stand to either side of it, and are aspects of its setting that enhance its appearance, and from various perspectives in the nearby area it can be seen as an important component of the historic streetscene of Oxford Street. The gap beside the building as viewed from Oxford Street and Chapel Lane opposite give views to the south beyond the village, which reinforce its rural setting.
8. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Additionally, Section 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
9. The proposed four bay garage would be a substantial building. It would stand to the rear of the listed building in a manner that would be prominent to view, owing to the gap between the existing buildings fronting Oxford Street. It would face the rear of the listed building with a broad blank elevation that would give the building a more developed setting, and would restrict views from the road out towards the surrounding countryside. Its eaves would not be much lower than the host building and its width greater. Coupled with its blank rear façade, it would fail to hold an appropriately subservient or ancillary relationship to the host building.
10. I accept that there are examples of backland development nearby that is of a considerable scale. However, the prevailing form within the RCA is of additional accommodation achieved by extending away from the host building in a linear manner that follows the depth of the plot. In contrast, the proposal would straddle the width of the plot and would dominate views into the plot from the road.
11. The adjacent building to the east of the proposed garage establishes a clear exception to this, however it fronts onto Tankard Lane to the east and is thus not typical backland development. No. 44 Oxford Street stands much further away to the south and at a lower level than the road to the extent that it has little association with the buildings fronting Oxford Street.

12. In addition to the visual impacts, the proposal would also see the garden area for No. 42 greatly reduced. I accept that the building is fairly small, and a modest area of well laid out south facing garden may be sufficient for its future viability. Additionally, the gardens of the cottages to either side are modest. However, the plans show that the space at the rear would be given over almost entirely to the parking of cars, including the space needed to manoeuvre them into the three marked parking spaces. No specific space is identified to serve as a garden that would be separate or properly defined, and the layout proposed suggests that defining such a space would be very difficult. I therefore find that additional harm arises from the proposal in this regard, compromising the future viability of the heritage asset.
13. For the reasons given I find that the proposal would harm the setting of the listed building due to its visual impact, and the manner by which it would leave the building with no defined garden area. It would also fail to preserve the character and appearance of the RCA by lessening the visual connection between the RCA and the surrounding countryside, and introducing a building of a scale and position that does not accord with the way that historic plots within the RCA have typically developed. In terms of the Framework the harms would be less than substantial but would nevertheless be of considerable importance and weight. Paragraph 208 of the Framework establishes that any harm should be weighed against the public benefits of the proposal.
14. The removal of the shed and faux timber framed wall are put forward as public benefits. As both have already been removed, I am unable to include these interventions in the heritage balance. There are no other public benefits before me, and none that I can see that would arise from the proposal. The harm would not therefore be outweighed by any public benefits of the proposal.
15. In summary, the proposal would harm the character and appearance of the area. It would fail to meet the requirements of the LBCA as it would harm the special interest of the listed building and fail to preserve the character and appearance of the RCA. It would not accord with Policies 57 and 58 of the Wiltshire Core Strategy 2015 (WCS), which together seek to ensure that development proposals are designed to a high standard that enhances local distinctiveness and protects and conserves the historic environment.

Living conditions

16. The southwest elevation of the proposed garage building would include an external staircase with a glazed door to access the first floor accommodation. From the landing at the top of this staircase it would be possible to look over the neighbouring garden to the northwest and west with ease. The neighbouring garden is close to the landing and would appear to be reasonably private at present. Additionally, it would be possible for future users of the first floor of the garage to look across to the neighbouring garden when the door is left open, or through its glazing.
17. I accept that the landing area at the top of the stairs would be small and would only really serve to provide access to the first floor. It would be highly unlikely for it to be used as a balcony. Nevertheless, the ability for someone to stand on the landing and look towards the rear of the neighbouring dwelling and its garden would harm the privacy of the occupiers of that dwelling, even if for only brief periods. Additional harm would also arise in situations where the

door is left open, perhaps during good weather, and the use of obscure glazing would only partly address these impacts.

18. In summary, the proposal would harm the living conditions of the occupiers of the neighbouring dwelling. It would be contrary to Policy 57 of the WCS, which seeks to ensure that development proposals secure a high standard of design that has regard to the impact on the amenities of existing occupants.

Other Matters

19. The appeal site is within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The statutory purposes of an AONB is to conserve and enhance the natural beauty of the area. Paragraph 182 of the Framework establishes that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs. The Council is of the view that the proposal would not harm the AONB as it would only impact upon the built up area of the settlement. I see no reason to disagree with this assessment and am therefore satisfied that the proposal would conserve the landscape and scenic beauty of the AONB.

Conclusion

20. For the reasons given above I conclude that the appeal should be dismissed.

A Tucker

INSPECTOR