



Appeal Decision

Site visit made on 27 October 2025

by **John D Allan BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 November 2025

Appeal Ref: APP/Y3940/D/25/3370947

49 North Street, Calne, Wiltshire, SN11 0HH

- 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 Ms Heather Betts against the decision of Wiltshire Council.
 - The application Ref is PL/2025/00078.
 - The development proposed is described as '*Repair of an existing dormer window and surrounding structure to allow for two glass doors instead with narrow, fixed glass side panels. These doors to open onto a small (2m x 2m) roof platform with safety balustrade*'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was made retrospectively. At the time of my visit, I saw that the works were substantially complete.

Main Issues

3. The main issues are the effects of the development upon the character and appearance of the host property and wider area, including the Calne Conservation Area, and upon the living conditions of neighbouring occupiers with regard to privacy.

Reasons

Character and Appearance

4. The appeal relates to a double fronted two-storey, detached dwelling dating from the latter half of the 19th century within a principally residential part of the Calne Conservation Area (CA). The CA is an expansive area which covers the town's historic core with strands extending along its waterways. The Council's *Calne Conservation Area Statement* identifies No 49 as one of North Street's grandest properties at this point. As a good example of a domestic residence from its time with little notable change, the appeal property makes a positive contribution to the character and appearance of the CA.
5. The works undertaken relate to changes made to an original small dormer window centrally positioned within the rear roof slope. The size of the dormer has been increased from approximately 1500mm wide and 900mm high to 2300mm wide and 2100mm high with a pair of full height outward opening glazed doors and sidelights

providing access onto an approximate 2sqm platform with stainless steel balustrade and reinforced glass panels around its perimeter.

6. In the context of No 49, the rear elevation of the appeal building is reasonably enclosed and views of it are limited and restricted to those principally from the backs and rear gardens of others, where dormer windows are prevalent. The works undertaken are well contained within the envelope of the existing roof, which has changed neither in style, height, or form, and offer a contemporary interpretation of a traditional feature that I find to be neither excessive in size nor overly prominent. Photographs of the original window do not show frames of any significant historic form and other frames to the rear elevation of No 49 at ground and first-floor levels have been replaced with a variety of styles and materials.
7. Overall, whilst there is some inevitable change to the roofscape of the appeal building, I find this change to be modest, with no meaningful impact upon the wider visual associations between the dwelling and its historic surroundings. As such, I agree with the findings of the appellant's submitted *Heritage Impact Statement*, dated July 2025, that the development has not led to any harmful impact upon the setting of the locality's buildings or the wider character and appearance of the CA. As a consequence, I find no conflict with Core Policies 57 or 58 of the Wiltshire Core Strategy (WCS), adopted in 2015, as far as they both seek to ensure development displays a high quality of design that responds positively to the existing townscape and which should protect and conserve the historic environment. For the same reasons there is no conflict with the National Planning Policy Framework's (the Framework) objectives for conserving and enhancing the historic environment.

Living Conditions

8. As a result of the works undertaken, there is an accessible platform at roof level designed for external use. It is large enough to accommodate, for example, a small table and two chairs.
9. During my visit I was able to access the outside space and view the surroundings. From this elevated position I was able to gain direct sight down and into an immediately adjoining rear garden to the north. In addition, I was able to look freely towards some other land and properties slightly further afield surrounding the appeal site. I consider the sense of being overlooked from this vantage point to some neighbouring occupiers to be both real and likely to be perceived, and materially different from anything that may have been experienced from the original dormer's outlook. In either instance I find this to be intrusive and detrimental to neighbours' living conditions.
10. Whilst rear facing dormers are commonplace amongst surrounding properties, with a degree of mutual overlooking from their inside spaces, any outlook from such windows, which are predominantly small in scale, would be most likely fleeting and occasional. In contrast, the outdoor space at No 49 would provide an opportunity for prolonged use, especially during fine weather and at times when others would be likely using their rear garden spaces where a degree of privacy would reasonably be expected.
11. The harm that I have identified means that the works undertaken conflict with WCS Policy CP57 where it seeks to ensure development is compatible with adjoining buildings and uses, including having regard to levels of privacy. For the same

reason there is conflict with the Framework's objectives for achieving well-designed places with a high standard of amenity for existing and future users.

12. My attention has been drawn to a two-storey rear extension with a flat roof at 69 North Street. This is visible from the rear garden of the appeal property. I saw the roof at No 69 to be surrounded by a metal balustrade with access apparently gained from a patio-style door within a rear facing dormer. I am told that there is no planning history relevant to No 69.
13. I do not know how the roof space at No 69 is used but I accept that anyone having access to it would have the potential for overlooking neighbouring gardens. However, I do not accept that this reflects an evolving change to the back garden environment of surrounding properties. The circumstances at No 69 appear unique and openly out of keeping. They do not contribute positively to the character or appearance of the surrounding built environment, or to the amenities enjoyed by surrounding occupiers. They do not justify to me a new development that introduces harm and which fails to comply with current local and national policy.
14. The appellant has directed me to a fallback position whereby a dormer of comparable scale could be constructed on the rear roof slope of No 49. Regardless, it is conceded that such development would not include a balcony. I do not consider that outlook from an internal space served by a similar sized window, including from a Juliet-style balcony, would compare to that from an external balcony for reasons amplified above.

Conclusions

15. Notwithstanding my findings on the first main issue, for the reasons given I find the development to be harmful to the living conditions of neighbouring occupiers. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR