



Appeal Decision

Site visit made on 28 June 2011

by Les Greenwood BA(Hons) DipTP MRTPI

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

Decision date: 4 July 2011

Appeal Ref: APP/Y3940/D/11/2152590

Innisfrey, Washmeres, Colerne, Chippenham, Wiltshire SN14 8DQ

- 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 Martin Strange against the decision of Wiltshire Council.
 - The application Ref N/11/00001/FUL, dated 28 December 2010, was refused by notice dated 30 March 2011.
 - The development proposed is a first floor extension to a bungalow to form a house.
-

Decision

1. I dismiss the appeal.

Main issues

2. The main issues are the effects of the proposal on:
 - i) the character and appearance of the area, including the Colerne Conservation Area, the Area of Outstanding Natural Beauty (AONB) and the setting of the adjacent listed building; and
 - ii) living conditions at the neighbouring properties, with particular regard to Washmere House and Catley House.

Procedural matter

3. At my visit, I viewed the site from both Washmere House and Catley House as well as from the appeal site itself and from public vantage points both within and outside of the village.

Reasons

Character and appearance

4. Innisfrey is a modern bungalow situated on a tightly constrained plot at the edge of the village, within a conservation area and an AONB and close to a grade II listed building, Washmere House. The conservation area is characterised by closely knit development of mainly traditional, 2 storey buildings with natural stone walls. The lane known as Washmeres drops down quickly as it moves away from the village and Innisfrey is perched in a prominent position, overlooking a wide sweep of countryside. The roof of the
-

bungalow is also seen from Bath Road, interrupting views out of the village. In this highly visible position, any development should be designed with particular sensitivity.

5. The existing bungalow is modest in scale and unremarkable in design, so that its impact on the character and appearance of the area is relatively neutral. The proposal would nearly double the eaves height of the building, adding a first floor to most of the existing structure. The resulting 2 storey house would more closely reflect the form of the traditional local buildings. The retention of a single storey section on the side nearest to Washmere House, as proposed, would both minimise the impact on the setting of that building and leave a sufficient visual gap between the buildings. The proposal to fully clad the building with natural stone would also help it to blend in, if done well. The roof pitch and materials would be more modern in character, but I do not see this as being an overriding problem.
6. Although the form and facing materials of the proposed building are therefore generally acceptable, I find myself unconvinced regarding the more detailed design of the proposal. This would retain the existing frontage patio doors and other windows and doors more typical of a modern bungalow than a traditional house. The new timber casement windows proposed at first floor level would be more appropriate, but would not match the ground floor windows. As a result, the building would have a disorderly, unresolved, hybrid appearance that would contrast with the much more harmonious designs of the older nearby buildings.
7. I conclude that, although the proposed form of the building would potentially be acceptable, the proposed detailing would not. For this reason, the proposal would not preserve or enhance the character or the appearance of the conservation area and would harm the landscape of the AONB and the setting of the adjacent listed building, Washmere House. The proposal therefore conflicts with Policies C3(i), NE4 and HE1 of the North Wiltshire Local Plan 2011 (LP), which aim to ensure that development respects the local character, distinctiveness and landscape of the area.

Living conditions

8. Washmere House is set very close to Innisfrey, with an old lean-to conservatory to the side nearest to the bungalow. A planning permission exists for the demolition of this structure and its replacement with another extension. Although I have not seen the plans for this, I understand that it would have 2 rooflights and a window facing roughly towards Innisfrey's rear courtyard garden. Furthermore, although the extension was approved as a bathroom, there may be plans to use it as a habitable room instead. None of this has, however, yet come to fruition and I give it limited weight.
9. In any case, Washmere House is clearly oriented away from Innisfrey, towards the lane and towards the very open views of the countryside to the south. The kitchen currently gets some light from the west side, but has a main south-facing window. The section of Innisfrey closest to Washmere House would remain single storey and this step down appears to me to be adequate to prevent the development being unacceptably overbearing or overshadowing to Washmere House. In coming to this conclusion, I have taken into account the

submitted lighting assessments, but these are indicators only and are not linked in any way to development plan policy.

10. Catley House and its rear garden are set well above the level of Innisfrey and look out in part on its existing roof. The garden would become somewhat more enclosed than at present, but the retention of a single storey section, together with the levels difference, would help to ensure that this would not be oppressive. The main outlook from the house is to the east and to the west, rather than directly towards Innisfrey. Side windows look more towards Washmere House, to the south. There would be some effect on outlook, in angled views to the south-west, but not such as to be overbearing. For similar reasons, the proposed extension would not unacceptably overshadow Catley House.
11. The proposal would increase overlooking of the southern end of the garden to Washmere House. However, an adequate private area would be retained nearer to the house and I therefore do not find this to be unacceptable. In other respects, the proposed extension has been designed to prevent any significant new overlooking of Washmere House and Catley House, subject to the use of obscure glazing on the proposed first floor rear window. The adjoining bungalow, Summerhayes, would also be affected by the proposal, but would retain its main, open aspect to the south and a reasonable degree of privacy.
12. I conclude that the proposal would not unduly harm living conditions at neighbouring properties and therefore accords with LP Policy C3(iii), which aims to avoid unacceptable loss of privacy and amenities to adjacent dwellings.

Other matters

13. I have taken account of all other matters raised, including the views of the Parish Council and local residents. I note that there are concerns about the possibility of this case setting a precedent for the treatment of other bungalows in the area. This case and any future similar cases should, however, be decided on their own merits in light of current policy. Any legal matter regarding the Right to Light would be dealt with under other legislation. Finally, while I sympathise with the appellant's wife's need for improved accommodation due to her disability, these personal circumstances do not override my overall conclusion.

Conclusion

14. Notwithstanding my favourable finding in regard to neighbours' living conditions, my objection in regard to the proposed design is sufficiently compelling for me to conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR