Wiltshire Council

The Town and Country Planning Act 1990

Refusal of Householder Planning Permission

Application Reference Number: PL/2023/09793

Decision Date: 08 January 2024

Applicant:	Mr Adrian Hall South Lawn , Kings Road, Market Lavington, Wiltshire, SN10 4QB
Particulars of Development: **At:**	Erection of detached garage with studio over South Lawn, Kings Road, Market Lavington, Devizes, SN10 4QB

In pursuance of their powers under the above Act, the Council hereby REFUSE TO GRANT PERMISSION for the development referred to in the above application and plans submitted by you, for the following reason(s):

Refusal Reason(s): (3)

1 Core Policy 57 of the Wiltshire Core Strategy requires amongst other things that proposals should enhance local distinctiveness, represent a high standard of design and take account of the characteristics of the site and the local context to deliver an appropriate development that relates effectively to the immediate setting and wider character of the area. Paragraph 131 of the National Planning Policy Framework also states that good design is a key aspect of sustainable development and paragraph 135(b) states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The proposed double garage with room over forming an annexe, by reason of its position, size, height, massing and scale would fail to satisfy the above requirements. The resultant design and height of the proposal will not be sufficiently subservient to the host dwelling and will appear overly dominant in the context of the adjacent single storey and 1.5 storey dwellinghouse approved. This is to the detriment of the character and appearance of the area and the immediate and wider streetscene.

The proposals would therefore conflict with the requirements of the Wiltshire Core Strategy (WCS) 2015; Core Policy 57 Ensuring High Quality Design'; and with Central Government policy contained within the National Planning Policy Framework (NPPF) 2023; in particular Chapter 12 'Achieving Well Designed Places'.

2 Core Policy 57 of the Wiltshire Core Strategy requires, amongst other things, that proposals should represent a high standard of design and take account of the characteristics of the site and the local context to deliver an appropriate development that relates effectively to the immediate setting and wider character of the area. Crucially it requires under point vii. that they have regard to the

compatibility of adjoining buildings and uses and the impact on the amenities of existing occupants. Paragraph 135 of the National Planning Policy Framework also states that planning decisions should ensure that developments create places with a high standard of amenity for existing users.

The proposed double garage with room over forming an annexe, by virtue of its position, height, scale, size and massing will cause an unacceptable loss of sunlight from the south-western side of the rear garden of Stonewold and will have an overbearing impact upon the outlook of these occupiers from within their rear garden.

In view of the above, the proposal will conflict with the requirements of the Wiltshire Core Strategy (WCS) 2015; Core Policy 57 ‘Ensuring High Quality Design and Place Shaping; and with the National Planning Policy Framework (NPPF) 2023, in particular Chapter 12 ‘Achieving Well Designed Places’.

3 The application contained insufficient information to demonstrate the elevational design, particularly the height, of the proposed entrance gate and posts, positioned forward of the principal elevation of the dwellinghouse would be of acceptable design.

In light of the above, the application has not demonstrated that the proposed development can meet the aims and objectives of Core Policy 57 ‘Ensuring High Quality Design and Place Shaping’ of the Adopted Wiltshire Core Strategy (WCS) 2015.

Parvis Khansari **- Corporate Director, Place**

NOTES

1. **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to refuse permission, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within 12 weeks of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - Appeal a householder planning decision: Overview - GOV.UK (www.gov.uk)).