The Planning Inspectorate

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Planning Appeals
Wiltshire Council
Monkton Park Office
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Wiltshire
SN5 1ER

Your Ref: PL/2023/10286
Our Ref: APP/Y3940/D/24/3351346

25 November 2024

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal by Mrs Emily Thomas
Site Address: 124 High Street, Worton, DEVIZES, SN10 5SE

I enclose a copy of our Inspector's decision on the above appeal(s).

If you have queries or feedback about the decision or the way we handled the appeal(s), you should submit them using our "Feedback" webpage at https://www.gov.uk/government/organisations/planning-inspectorate/about/complaints-procedure.

If you do not have internet access please write to the Customer Quality Unit at the address above.

If you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

The Planning Inspectorate cannot change or revoke the outcome in the attached decision. If you want to alter the outcome you should consider obtaining legal advice as only the High Court can quash this decision.

We are continually seeking ways to improve the quality of service we provide to our customers. As part of this commitment we are seeking feedback from those who use our service. It would be appreciated if you could take some time to complete this short survey, which should take no more than a few minutes complete:

https://www.surveymonkey.co.uk/r/Planning_inspectorate_customer_survey

Thank you in advance for taking the time to provide us with valuable feedback.

Yours sincerely,

Ben Jenkins
Ben Jenkins

https://www.gov.uk/government/publications/planning-inspectorate-privacy-notices

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - https://www.gov.uk/appeal-planning-inspectorate

The Planning Inspectorate

Appeal Decision

Site visit made on 8 November 2024

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2024

Appeal Ref: APP/Y3940/D/24/3351346
124 High Street, Worton, Wiltshire, SN10 5SE

- 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 Mrs Emily Thomas against the decision of Wiltshire Council.
- The application Ref is PL/2023/10286.
- The development proposed is partial rebuilding, extension and loft conversion of existing garage.

Decision

1. The appeal is dismissed.

Main issues

2. The main issues are:

   (a) whether the development would serve to preserve or enhance the character or appearance of the Worton Conservation Area (WCA);

   (b) the effect on the living conditions of neighbouring residents with reference to privacy.

Reasons

Conservation Area

3. The property subject of the appeal is a garage/storage outbuilding set in the rear garden of the host property. It is a reasonably sized building capable of accommodating two cars with room to spare on the ground floor. It also has an internal set of open stairs leading to a loft beneath a ridged roof, used for storage. As the appellant acknowledges, it is in a fairly poor condition, and I saw signs of structural stress. The description of the proposal includes the term 'partial rebuilding' but no firm indication has been provided as to the extent of rebuilding necessary or proposed. The outbuilding stands close to a recently constructed annexe.

4. Alongside the appeal property is a public right of way (PROW) which runs along a track. A hedge separates the PROW from the garage. The hedge effectively screens development in the appeal property's rear garden from general view. The proposed extension would be built towards the hedge, but the plans are insufficiently detailed to show whether or not the hedge would be affected. The indications in the appellant's appeal statement are that it would probably would, and that it could be replaced. Indeed, the appellant appears pessimistic

about the longevity of the hedge generally, and claims that it could be removed without permission.

5. I saw that outbuildings were a common feature in this part of the WCA, and in principle I see no objection to the type of development the appellant has in mind, including a slightly higher ridge. A suitably designed refurbished building slightly extended would not prove uncharacteristic of the area.

6. However, as the Council has commented, the drawings submitted appear to be hand-drawn rudimentary sketches showing general form but little or no detail. Having regard to the site's inclusion within the WCA I consider them sub-standard since they do not effectively or sufficiently portray the design or the future appearance of the refurbished/extended building. As mentioned earlier, no firm indication is given as to the extent of rebuilding or the future of the hedge, and what means of enclosure should replace it if it is became damaged or removed. This is a significant matter given that the rear of the nearby properties would be open to view from the PROW without the hedge. In these circumstances, I cannot properly judge the impact on the WCA in terms of the effect on its appearance.

7. Accordingly, I find a material conflict arises with the thrust of those provisions of Core Policy 57 & 58 of the Wiltshire Core Strategy (CS) directed to achieving high quality design in all development and ensuring the conservation of the historic environment, with particular reference to Conservation Areas.

Living conditions

8. The appellant proposes an external staircase at the eastern end of the building. This would be sited very close to the boundary with the next-door dwelling, and an unrestricted view would be obtained from the top of the staircase directly into next-door's garden (No 122) at very close quarters. This, to my mind, would represent a harmful invasion of privacy, both actual and perceived, to the detriment of the living conditions currently enjoyed by the residents of 122 High Street.

9. I saw the existing external staircase at No 120, but this does not justify an additional exposure to overlooking, particularly in circumstances where the situation could be avoided by an improved and more considerate design.

10. I therefore conclude that the use of the staircase would materially and harmfully affect neighbouring living conditions. Accordingly, I find a material conflict with those provisions of CS policy 57 directed to achieving appropriate levels of amenity in new development.

Other matters

11. I have seen the references to other development plan policies, but those to which I have referred are considered the most relevant. The references to the *National Planning Policy* Framework have also been considered.

12. No other matter is of such strength or significance as to outweigh the considerations that led me to my overall conclusions, set out below.

G Powys Jones

INSPECTOR