

Appeal Decision

Site visit made on 21 September 2016

by Andy Harwood CMS MSc MRTPI

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

Decision date: 12 October 2016

Appeal Ref: APP/Y3940/W/16/3152885

3 Antrobus Road, Amesbury, Wiltshire SP4 7NT

- 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 Davies against the decision of Wiltshire Council.
 - The application Ref 16/01471/FUL, dated 9 February 2016, was refused by notice dated 14 April 2016.
 - The development proposed is a new dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The first main issue is the effect of the proposed dwelling upon the living conditions of the occupiers at No 1 Antrobus Road with respect to outlook and enclosure of the garden area. The second is the effect of the proposal upon the character and appearance of the area.

Reasons

Living conditions

3. The proposal would be a dwelling with the first floor being within the roof space. There would be 2 pitched roof dormers in the front roof slope and 2 high level roof lights in the rear roof slope.
 4. The site at the moment is part of the garden to the side of No 3 which is a semi-detached 2 storey dwelling. The garden of the adjoining dwelling at No 1 is behind the dwelling and these properties already have an intimate relationship. Currently, there is a low wire fence between the gardens and 2 modest sheds within the site close to the boundary. There is a substantial gap between the end of No 3 and the next dwelling to the south west which provides a very open outlook at this point for both gardens. On the other sides of the garden of No 1 there are solid fences and boundary hedges. There are also 3 dwellings close to its northern side boundary.
 5. The proposed dwelling would be set away from the boundary with No 1 by between 4.8m and 3.7m. The steep rear roof slope would rise up from this point reaching 7.05m at the ridge. This would substantially enclose the rear garden of No 1 at a high level close to the boundary with the currently very open garden. This would give a sense of being hemmed in by the
-

development. It would be in very stark contrast to this existing openness. The high roof would block out space and have an overbearing, dominating impact upon occupiers of No 1 when using their garden. A gap would be retained to the side of No 3 but this would not overcome this enclosing impact to a satisfactory extent. The impact would be even greater than if the existing low wire fence were to be replaced with higher solid garden fencing.

6. A previous appeal (ref:APP/Y3940/W/15/3130987) was dismissed for a detached 3 bed dwelling on the same site. The appellant confirms that the footprint would have been the same although only 2 bedrooms are now proposed. The Council confirms that the height reduction from the previous proposal would be 1.15m which is not disputed by the appellant. Although the roof lights proposed in this case would not overlook the adjoining property, I consider that the Inspector's concerns with respect to the visual intrusiveness of the proposal thereby harming the amenities of adjoining neighbours, have not been overcome within this proposal.
7. In relation to the first main issue, the proposed dwelling would have a harmful impact upon the living conditions of the occupiers at No 1 Antrobus Road with respect to a loss of outlook from and enclosure of the garden area. This would not comply in these respects with Core Policy 57 of the Wiltshire Core Strategy, adopted January 2015 (CS).

Character and appearance

8. The road frontage of Antrobus Road currently includes predominantly 2 storey dwellings linked together with single storey buildings. The site is a gap between a long line of similar dwellings and the back of No 3 which has a different layout, relating more to No 1. Both of these also face onto Holders Road. The proposed dwelling with long roof slope and dormers would be different but would not harm the street-scene. The retained space on either side would be sufficient to prevent the dwelling from appearing cramped alongside the other dwellings.
9. In relation to the second main issue, the proposed dwelling would have a satisfactory effect upon the character and appearance of the area that would comply in this respect with CS Core Policy 57.

Conclusion

10. My conclusion on the second main issue does not outweigh my conclusion on the first. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Andy Harwood

INSPECTOR