

## Appeal Decision

Site visit made on 25 October 2016

**by R J Jackson BA MPhil DMS MRTPI MCMi**

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

**Decision date: 9 November 2016**

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**Appeal Ref: APP/Y3940/W/16/3155810**  
**22 Glebe Road, Durrington, Wilts SP4 8AY**

- 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 & Mrs Mills against the decision of Wiltshire Council.
  - The application Ref 16/03129/FUL, dated 24 March 2016, was refused by notice dated 26 May 2016.
  - The development proposed is a new detached dwelling, 4 No car spaces with associated dropped kerb.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. During the consideration of the application by the Council amended plans revising the location of the front door to the property and providing an amended parking layout were discussed with the Highway Authority, but these plans were not submitted to the Council as local planning authority by the time it had made its decision. I have been provided with copies of both the original and amended schemes.
3. It seems to me that these amended plans do not make a substantial difference to the proposal. The design and parking layout are similar to the original scheme and the Council and other interested parties have had the opportunity of making comment on them at the appeal stage. I will therefore use these plans.

### Main Issues

4. The main issues are:
    - the effect on the character and appearance of the area;
    - whether the proposed development would give rise to satisfactory living conditions for the occupiers in terms of garden space; and
    - the effect on highway safety.
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## **Reasons**

### *Character and appearance*

5. The appeal site is a semi-detached property and its garden which is surrounded by approximately 2m high walls and fences. It lies on the north side of Glebe Road within an area of predominantly terraced properties. The properties in the area are generally two-storey in height although there are bungalows to the east. While there are detached properties on the south side of Glebe Road these are set some distance back from the road, at a higher level behind a wall and have a different character.
6. Glebe Road is a sinuous cul-de-sac, with development to the west of the bungalows being set around parking areas set slightly to the north or south of the road. On either side of the road are wide verges which add to the spacious character of the area. While the side garden of No 22 is surrounded by walls and fences it is an open area which allows views over and along the street and adds to the sense of space on either side of the road.
7. The introduction of a built form at two storey height would harmfully intrude into the street scene. It would harmfully diminish the sense of space in the area, which is part of the character of the area, creating a pinch-point between the built development on both sides of the road.
8. In addition, even if the south and eastern fences were to be removed, the appeal proposal would appear cramped with little space between the back edge of the pavement, the western fence and the proposed property so that it would be out of keeping with the existing pattern and broader grain of plot sizes in the area.
9. Notwithstanding the above, although separate from No 22, the gap between properties would not be so out of keeping with the area that the new property, by being detached, would appear discordant. Similarly, given the general nature of the hardsurfaced courtyard area in front of the appeal site, the introduction of additional hardsurfacing to provide car parking would not be out of keeping with the character and appearance of the area.
10. However, by intruding into street scene and reducing the sense of spaciousness the proposed development would be harmful to the character and appearance of the area. As such it would be contrary to Core Policy 57 of the Wiltshire Core Strategy Adopted January 2015 (the WCS) in that it would not deliver an appropriate development which relates effectively to the immediate setting and the wider character of the area, nor would it positively respond to the existing townscape in terms of building layout and plot size to integrate into its setting. It would also be contrary to paragraph 58 of the National Planning Policy Framework (the Framework) in that it would not create a strong sense of place using streetscapes to create attractive places to live.

### *Living conditions*

11. The properties in the area have reasonably sized gardens. Currently No 22 has a decked area at the rear of the dwelling with a pitched roof outbuilding and the curtilage includes the area to the side where the proposed dwelling would be located.

12. I have not been provided with any standards for the provision of garden or outdoor space for dwellings and would accept that individual occupiers will seek different quantities. However, it seems to me that any dwelling should have an amount of outdoor space commensurate with the size of the dwelling to allow for sitting out and, for example, the drying of clothes.
13. The proposal is for a three-bedroomed dwelling and it is a reasonable expectation that it would be occupied by a family. In my view there should be sufficient space outside the property to meet the reasonable needs of that family. The area to the front (east) of the appeal site would be occupied by parking leaving only a very small triangular area to the rear. This would appear cramped and there would be insufficient space to allow for an appropriate amount of external open space for a property of this size.
14. As such the proposal would not give rise to satisfactory living conditions for the occupiers in terms of garden space. It would therefore be contrary to Core Policy 57 of the WCS in that it would not ensure that an appropriate level of amenity is achieved within the development itself. It would also be contrary to paragraph 17 of the Framework that seeks a good standard of amenity for all existing and future occupants of land and buildings.

#### *Highway safety*

15. The Council explains that two 3-bedroom properties, that is No 22 and the new property, would require a total of four parking spaces off the public highway. The revised layout would locate two spaces to the front of each property. All four spaces would each be 5.3m long at the centre line. However, for the most southerly of these (space 1) there would only be 3.7m between the front of the proposed property and the back edge of the pavement on the southern side. This would mean that the corner of any car parked in this space is likely to overhang the pavement to some extent.
16. Overhanging the pavement would be harmful to highway safety as it would mean that those using the pavement, including those using wheelchairs or buggies or with a visual impairment, would be required to move out in to the carriageway. While the amount of traffic in the area is not high, requiring the use of the carriageway by these users is not desirable and this adds to the harm identified above.
17. The proposed development, therefore, would be harmful to highway safety. As such it would be contrary to Core Policy 62 of the WCS in that it would not provide appropriate mitigating measures to offset any adverse impacts on the surrounding transport network. It would also be contrary to paragraph 32 of the Framework in that safe and suitable access cannot be achieved for all people.

#### **Conclusion**

18. For the reasons given above I conclude that the appeal should be dismissed.

*RJ Jackson*

INSPECTOR